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Virginia Convention, Wheeling, 1861.

JOURNAL

OF

THE CONVENTION

ASSEMBLED AT WHEELING,

ON THE

11th of JUNE, 1861.

Printed by Authority of the Convention.

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JOURNAL

OF THE

PROCEEDINGS OF THE CONVENTION.

WHEELING, JUNE 11TH, 1861.

The State Convention of Delegates from Western Virginia met at 2 o'clock, P. M., in Washington Hall, in the City of Wheeling.

The Convention was called to order by F. H. Peirpoint, of Marion, on whose motion D. B. Dorsey, of Monongalia, was elected temporary Chairman.

On motion, Rev. G. Battelle, of the Methodist Church, opened the session of the Convention with prayer.

On motion of Campbell Tarr, of Brooke, G. L. Cranmer, of Ohio, was elected temporary Secretary.

On motion of A. I. Boreman, of Wood, it was resolved that the Chair appoint a Committee of five on credentials.

On motion of Jno. S. Carlile, of Harrison, it was resolved that the Chair appoint a Committee of five to report rules for the government of this Convention.

On motion of F. H. Peirpoint, of Marion, it was resolved that the Chair appoint a Committee of five on permanent organization.

The Chair then proceeded to appoint the following named gentlemen as a Committee on Credentials, as proposed by the resolution offered by the gentleman from Wood:

A. I. Boreman of Wood, Jno. J. Brown of Preston, Col. James Evans of Monongalia, Lewis Wetzel of Mason, Daniel Lamb, of Ohio.

The Chair appointed the following named gentlemen as a Committee on Rules, as proposed by the resolution offered by the gentleman from Harrison:

Jno. S. Carlile of Harrison, Geo. McC. Porter of Hancock, Daniel Polsley of Mason, Harrison Hagans of Preston, Andrew Flesher of Jackson.

The Chair also appointed the following named gentlemen as a Committee on Permanent Organization, as contemplated by the resolution offered by the gentleman from Marion:

F. H. Peirpoint of Marion, W. H. Copley of Wayne, E. H. Cald-

well of Marshal, Jno. S. Burdett of Taylor, C. T. Stewart of Doddridge.

On motion of Campbell Tarr, of Brooke, it was resolved that the hour of meeting of this Convention shall be regularly ten o'clock A. M. of each day.

No further business appearing, on motion of D. Lamb, of Ohio, the Convention adjourned.

WEDNESDAY, JUNE 12TH, 1861.

The Convention met pursuant to adjournment, and was promptly called to order at the hour of meeting by the temporary chairman.

Rev. Wesley Smith, of the Methodist E. Church, opened the session with prayer.

The minutes of the preceding day were read and adopted.

The Committee on Credentials, through their chairman, submitted the following report:

That they have examined the credentials of members, so far as they have been produced before the Committee, and that the following named gentlemen are entitled to seats in this body, as members thereof, from the Counties designated, in the capacities herein set forth, whether as members of the General Assembly, elected on the 23d day of May, 1861, or as delegates appointed to this Convention only, that is to say, from

Barbour County—John H. Shuttlesworth and Spencer Dayton, delegates.

Brooke—Joseph Gist, Senator; H. W. Crothers, member of the House of Delegates; John D. Nicholls and Campbell Tarr, delegates.

Cabell—Albert Laidly, member of House of Delegates.

Monongalia—Leroy Kramar and Joseph Snyder, members of House of Delegates; Ralph L. Berkshire, Wm. Price, James Evans and D. B. Dorsey, delegates.

Ohio—Thos. H. Logan, Andrew Wilson, members of House of Delegates; Daniel Lamb, Jas. W. Paxton, George Harrison and Chester D. Hubbard, delegates.

Pleasants and Ritchie—Jas. W. Williamson, member of House of Delegates; C. W. Smith and William H. Douglas, delegates.

Preston—Chas. Hooton and Wm. B. Zinn, members of House of Delegates; Wm. B. Crane, John Howard, Harrison Hagans and John J. Brown, delegates.

Randolph and Tucker—Solomon Parsons, delegate.

Roane—T. A. Roberts, delegate.

Taylor—Lemuel E. Davidson, member of House of Delegates; John S. Burdett and Samuel B. Todd, delegates.

Upshur—D. D. T. Farnsworth, member of House of Delegates; John L. Smith, delegate.

Wayne—William Radcliffe, member of House of Delegates; W. W. Bromfield and Wm. Copely, delegates.

Wetzel—Jas. G. West, member of House of Delegates; Reuben Martin and Jas. P. Ferrell, delegates.

Wirt—James A. Williamson, member of House of Delegates; Henry Newman and E. T. Graham, delegates.

Wood—John W. Moss, member of House of Delegates; Arthur I. Boreman and P. G. Van Winkle, delegates.

Alexandria—Henry S. Martin and Jas. T. Close, delegates.

Fairfax—John Hawxhurst and Ebon E. Mason, delegates.

Hampshire—James Carskadon, Senator; Owen D. Downey, Geo. W. Broski, James H. Trout, Jas. J. Barracks, delegates.

Hardy—John Michael, delegate.

Doddridge and Tyler—Wm. I. Boreman, member of House of Delegates; Daniel D. Johnson and James A. Foley, delegates.

Gilmer—Henry H. Withers, delegate.

Hancock—Geo. McC. Porter, member of House of Delegates; John H. Atkinson and Wm. L. Crawford, delegates.

Harrison—Chapman J. Stewart, Senator; John J. Davis, John C. Vance, members of House of Delegates; John S. Carlile, Solomon S. Fleming, Lot Bowen and Benj. F. Shuttlesworth, delegates.

Jackson—Daniel Frost, member of House of Delegates; Jas. F. Scott and Andrew Flesher, delegates.

Lewis—P. M. Hale and J. A. J. Lightburn, delegates.

Marion—Richard Fast and Fountain Smith, members of House of Delegates; F. H. Peirpoint, John S. Barnes, A. F. Ritchie and James O. Watson, delegates.

Marshall—Remembrance Swan, member of House of Delegates; E. H. Caldwell and Robert Morris, delegates.

Mason—Lewis Wetzel, member of House of Delegates; Charles B. Waggoner and Daniel Polsley, delegates.

On motion, the report of the Committee was received and concurred in and the Committee further continued.

The Committee on Permanent Organization, through their chairman, reported as follows:

Your committee would respectfully report to the Convention, that a permanent President to preside over the deliberations of the Convention be appointed, also a Clerk and assistant; Sergeant-at-arms, Door-Keeper and Pages.

1st. For President of Convention, we recommend Arthur I. Boreman, of Wood County.

2d. For Secretary, G. L. Cranmer, with power to appoint assistant or assistants.

3d. For Sergeant-at-arms, Thos. Hornbrook, with power to appoint Door-Keeper or Door-Keepers and Pages.

4th. Your Committee recommend that before the President takes his seat, he shall take the following oath or (affirmation,) viz:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the laws made in pursuance thereof, as the supreme law of the land, anything in the Ordinances of the Convention which assembled in Richmond, on the 13th of February last, to the contrary notwithstanding, so help me God."

and that the President, after he shall have taken said oath, and before any other business is done, shall administer said oath to each of the members who shall be reported to this Convention by the committee on credentials, as members thereof, only varying the same to suit the case. On motion, the report was adopted.

On motion of John S. Carlile, it was resolved that a committee of two be appointed to inform Arthur I. Boreman, of Wood, of his election as permanent President and conduct him to the Chair, whereupon the Chair appointed the mover of the Resolution and Campbell Tarr, of Brooke, to discharge that duty.

The temporary President then vacated the chair, which was assumed by the President elect, who acknowledged the honor conferred upon him in an eloquent and appropriate manner, after which the oath contemplated in the resolutions of the committee on permant organization, was administered by Andrew Wilson, a Justice of the Peace, of Ohio County; whereupon the President then proceeded to administer the oath to the members of the Convention, by county delegations.

The committee on rules, through their chairman, reported rules for the government of the Convention, which were adopted, and two hundred copies of the same ordered to be printed for the use of the Convention.

On motion of John S. Carlile, it was resolved that the Secretary of

the Convention be authorized to contract for the printing of the Convention.

John S. Carlile, of Harrison offered the following resolutions, which were unanimously adopted:

Resolved, That the thanks of the loyal people of Virginia, are due and are hereby tendered to the Federal authorities for the prompt manner in which they have responded to our call for protection.

Resolved, That we tender our thanks to MAJ. GEN. M'CLELLAN for rescuing from the destruction and spoliation inaugurated by the rebel forces in our midst, the people of North Western Virginia included within his military division.

Resolved, That the gallant and soldierly bearing of the troops from Ohio and Indiana, who with our own gallant 1st Regiment, commanded by Western Virginia's loyal son, COL. KELLY, have scattered the rebel forces in our midst, has won our admiration, and we gladly hail them as our deliverers from the ruin and slavery provided for us by the conspirators, who have, temporarily, possession of the power of the State.

Resolved, That we deeply sympathize with our fellow-citizen, COL. KELLEY, in his sufferings from the wound received in our service, and earnestly pray that he may be speedily restored to perfect health, and again resume his commond at the head of our own 1st Regiment.

Resolved, That we utterly repudiate the heresy sought to be inculcated by secessionists, that it is an invasion of Virginia's soil, for American troops to march to the defence and protection of Virginia's citizens, but on the contrary, we declare Virginia soil to be American soil, and free to the march of American soldiery and sojourn of American citizens, from all and every portion of American territory; and it is only by such recognition that the Federal authorities could discharge a plain constitutional duty, imposed upon them by the clause guaranteeing to each State in the Union, a Republican form of government.

On motion of Thomas H. Logan, of Ohio, member of the Convention of Delegates, from Western Virginia, now in session in the City of Wheeling; it was unanimously resolved that the Secretary of the Convention be instructed to send copies of the above Resolutions, offered by the Hon. John S. Carlile, of Harrison, in Convention, to the President of the United States, MAJ. GEN. M'CLELLAN, BRIG. GEN. MORRIS, COL. BENJ. F. KELLEY, and the different Colonels of Regiments of United States troops, now in Western Virginia; which, on motion of D. B. Dorsey, of Monongalia, was amended by ordering five hundred copies

to be printed and distributed among the troops in Western Virginia, which amendment having been accepted by the mover of the original resolution, the resolution as amended, was adopted.

Jno. S. Carlile, of Harrison, offered the following resolution:

"*Resolved*, That a committee of thirteen members be appointed to prepare and report business for the Convention;" to which the following amendment was proposed by C. D. Hubbard, of Ohio: "And that all resolutions, in reference to our State and Federal relations, be referred to said committee, which amendment being accepted by the original mover of the resolution, was then adopted.

On motion, the Convention took a recess until 2 o'clock, P. M.

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2 O'CLOCK, P. M.

The Convention met pursuant to adjournment, and was called to order by the President, who proceeded to announce the gentlemen composing the committee on State and Federal relations, as follows:

Jno. S. Carlile, Danl. Lamb, F. H. Pierpoint, Harrison Hagan, P. G. Van Winkle, Ralph L. Berkshire, Danl. Polsley, Wm. I. Boreman, E. H. Caldwell, Danl. Frost, Geo. McC. Porter, D. D. T. Farnsworth, W. H. Copley.

The chairman of the committee on State and Federal relations, asked and obtained leave for the committee to sit during the sessions of the Convention.

On motion of John S. Carlile, of Harrison, it was resolved that when this Convention adjourn, it adjourn to meet in the U. S. Court Room, in the Custom House, in this city at the regular hour.

F. H. Pierpoint, of Marion, offered the following resolution:

Resolved, That the President be requested to communicate with the clergymen of the city, and provide for opening the sessions of this Convention with prayer on each day; which was unanimously adopted.

On motion, the Convention adjourned.

THURSDAY, JUNE 13TH, 1861.

The Convention met pursuant to adjournment, at 10 o'clock, A. M., in the United States district court room, in the Custom House, in the City of Wheeling, and was called to order by the Chairman.

Rev. Wesley Smith, of the Methodist Episcopal Church, opened the session of the Convention with prayer.

The minutes of the preceding day were read and adopted.

Jno. S. Burdett, of Taylor, informed the President that Samuel Crane, a member of the Convention from Tucker, was present and moved that he be admitted; whereupon the President administered to him the oath, and the member from Tucker took his seat.

The committee on business, to prepare business for the Convention, through their chairman, reported

A DECLARATION OF THE PEOPLE OF VIRGINIA.

The true purpose of all government is to promote the welfare and provide for the protection and security of the governed, and when any form or organization of government proves inadequate for, or subversive of this purpose, it is the right, it is the duty of the latter to alter or abolish it. The Bill of Rights of Virginia, framed in 1776, reaffirmed in 1830, and again in 1851, expressly reserves this right to the majority of her people; the act of the General Assembly, calling the Convention which assembled at Richmond in February last, without the previously expressed consent of such majority, was therefore a usurpation; and the Convention thus called has not only abused the powers nominally entrusted to it, but, with the connivance and active aid of the Executive, has usurped and exercised other powers, to the manifest injury of the people, which, if permitted, will inevitably subject them to a military despotism.

The Convention, by its pretended ordinances, has required the people of Virginia to separate from and wage war against the government of the United States, and against the citizens of neighboring States, with whom they have heretofore maintained friendly, social and business relations:

It has attempted to subvert the Union founded by Washington and his co-patriots, in the purer days of the republic, which has conferred unexampled prosperity upon every class of citizens, and upon every section of the country:

It has attempted to transfer the allegiance of the people to an illegal confederacy of rebellious States, and required their submission to its pretended edicts and decrees:

It has attempted to place the whole military force and military operations of the Commonwealth under the control and direction of such confederacy, for offensive as well as defensive purposes.

It has, in conjunction with the State Executive, instituted wherever their usurped power extends, a reign of terror intended to suppress

the free expression of the will of the people, making election a mockery and a fraud:

The same combination, even before the passage of the pretended ordinance of secession, instituted war by the seizure and appropriation of the property of the Federal Government, and by organizing and mobilizing armies, with the avowed purpose of capturing or destroying the Capital of the Union:

They have attempted to bring the allegiance of the people of the United States into direct conflict with their subordinate allegiance to the State, thereby making obedience to their pretended Ordinances, treason against the former.

We, therefore, the delegates here assembled in Convention to devise such measures and take such action as the safety and welfare of the loyal citizens of Virginia may demand, having maturely considered the premises, and viewing with great concern, the deplorable condition to which this once happy Commonwealth must be reduced, unless some regular adequate remedy is speedily adopted, and appealing to the Supreme Ruler of the Universe for the rectitude of our intentions, do hereby, in the name and on the behalf of the good people of Virginia, solemnly declare, that the preservation of their dearest rights and liberties and their security in person and property, imperatively demand the reorganization of the government of the Commonwealth, and that all acts of said Convention and Executive, tending to separate this Commonwealth from the United States, or to levy and carry on war against them, are without authority and void; and that the offices of all who adhere to the said Convention and Executive, whether legislative, executive or judicial, are vacated.

On motion of Jno. S. Burdett, of Taylor, it was resolved to increase the number of the committee of business, from thirteen to seventeen, by the addition of the following members:

Jas. T. Close, of Alexandria; Jas. Carskadon, of Hampshire; Jno. Hawxhurst, of Fairfax; and Samuel Crane, of Randolph.

On motion of P. G. Van Winkle, of Wood, it was resolved that the declaration reported by the chairman of the committee on business, be printed and made the order of the day, for to-morrow at 11 o'clock, A. M.

Jas. W. Paxton, of Ohio, offered the following resolution, which was referred to the committee on business.

Resolved, That the people of Northwestern Virginia have long and

patiently borne the position of political inferiority, forced upon them by unequal representation in the State Legislature, and by unjust, oppressive and unequal taxation; but that the so-called ordinance of secession, passed by the Convention which met in Richmond on the 13th of February last, is the crowning act of infamy which has aroused them to a determination to resist all injustice and oppression, and to assert and forever maintain their rights and liberties in the Union and under the Constitution of the United States.

Jno. J. Davis and Jno. C. Vance, members of the House of Delegates from Harrison, appeared and were sworn in by the President; also S. B. Todd, of Taylor.

Jno. S. Carlile, of Harrison, submitted the following resolution, which, on motion, was adopted:

Resolved, That the loyal people of the Counties of this Commonwealth that have not yet appointed delegates to this Convention, or are not actually represented here, be, and they are hereby earnestly requested to appoint such delegates without avoidable delay.

Daniel Frost, of Jackson, submitted the following resolution, which was referred to the Committee on Business:

Resolved, That for the better preservation of the peace of the citizens of Virginia, this Convention most earnestly requests all persons within her limits engaged in rebellious movements against the Federal Government, to desist from all such demonstrations and return to their allegiance; and that this Convention does peremptorily require all seditious assemblages to disperse, and all companies mustered into the service of the Southern Confederacy to be immediately disbanded.

On motion of John S. Carlile, of Harrison, it was resolved that leave be granted the Committee on business to sit during the Convention.

Jno. S. Burdett, of Taylor, moved that Nath. H. Taft, of Barbour, be admitted a member of this body, as a member of the House of Delegates; to which an amendment was moved by Daniel Lamb, of Ohio, that his credentials be referred to the Committee on Credentials, which amendment having been accepted by the original mover of the resolution as amended, was adopted.

On motion of Daniel Lamb, of Ohio, it was resolved that the resolution of the gentleman from Taylor, increasing the number of the Committee on Business from 13 to 17, be reconsidered, when upon the motion of the member last named, the 21st rule of the Convention

was suspended in this case, to allow the member from Taylor to renew his motion.

On motion of John S. Burdett, of Taylor, it was resolved that the number of the members constituting the Committee on Business, to prepare business for the Convention, be increased from 13 to 17, by the addition of the members heretofore named, in the original resolution.

On motion of Andrew Flesher, of Jackson, the Convention took a recess until 2 o'clock, P. M.

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2 O'CLOCK, P. M.

The Convention met pursuant to adjournment, and was called to order by the President.

S. B. Todd asked and obtained leave of absence for the remainder of the week.

On motion of Andrew Flesher, of Jackson, the Convention adjourned.

FRIDAY, JUNE 14TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. D. Hervey, of the Presbyterian Church, opened the session of the Convention with prayer.

The Committee on Business, through their Chairman, reported

AN ORDINANCE FOR THE RE-ORGANIZATION OF THE STATE GOVERNMENT.

The people of the State of Virginia, by their delegates assembled in Convention at Wheeling, do ordain as follows:

1. A Governor and Lieutenant-Governor for the State of Virginia, shall be appointed by this Convention, to discharge the duties and exercise the powers which pertain to their respective offices by the existing laws of the State, and to continue in office until their successors be elected and qualified.

2. A Council, to consist of five members, shall be appointed by this Convention, to consult with and advise the Governor respecting such matters pertaining to his official duties as he shall submit for consideration, and to aid in the execution of his official orders. Their term of office shall expire at the same time as that of the Governor.

3. The Delegates elected to the General Assembly on the twenty-

third day of May last, and the Senators entitled under existing laws to seats in the next General Assembly, who shall qualify themselves by taking the oath or affirmation hereinafter set forth, shall constitute the Legislature of the State, to discharge the duties and exercise the powers pertaining to the General Assembly. They shall hold their offices for the terms for which they were respectively elected. They shall assemble in the City of Wheeling on the ———day of——— and proceed to organize themselves, as prescribed by existing laws, in their respective branches. A majority in each branch of the members qualified as aforesaid, shall constitute a quorum to do business. A majority of the members of each branch thus qualified, voting affirmatively, shall be competent to pass any act specified in the twenty-seventh section of the fourth Article of the Constitution of the State.

4. The Governor, Lieutenant-Governor, members of the Legislature, and all officers now in the service of the State, or of any city, county or town thereof, or hereafter to be elected or appointed for such service, including the Judges and Clerks of the several Courts, Sheriffs, Commissioners of the Revenue, Justices of the Peace, officers of city and municipal corporations, and officers of militia and volunteers of the State not mustered into the service of the United States, shall each take the following oath or affirmation before proceeding in the discharge of their several duties:

"I solemnly swear (or affirm) that I will support the Constitution of the United States, and the laws made in pursuance thereof, as the supreme law of the land, anything in the Ordinances of the Convention which assembled at Richmond on the 13th day of February, 1861, to the contrary notwithstanding; and that I will uphold and defend the Government which assembled at Wheeling, on the 11th day of June, 1861, and the Legislature, Governor, and all other officers thereof, in the discharge of their several duties as prescribed by the last mentioned Convention."

5. If any elective officer who is required by the preceding section to take said oath or affirmation, fail or refuse so to do, it shall be the duty of the Governor, upon satisfactory evidence of the fact, to issue his writ declaring the office to be vacant, and providing for a special election to fill such vacancy, at some convenient and early day to be designated in said writ, of which due publication shall be made for the information of the persons entitled to vote at such election; such writ may be directed, at the discretion of the Governor, to the Sheriff or

Sheriffs of the proper county or counties, or to a Special Commissioner or Commissioners to be named by the Governor for the purpose. If the officer who fails or refuses to take such oath or affirmation be appointed otherwise than by election, the writ shall be directed to the appointing power, requiring it to fill the vacancy.

On motion, the said Ordinance was laid on the table, ordered to be printed, and made the order of the day for to-morrow, at 11 o'clock.

The chairman of the said Committee also reported back the following resolution, recommending its adoption, which was accordingly done:

Resolved, That for the better preservation of the peace of the citizens of Virginia, this Convention most earnestly requests all persons within her limits engaged in rebellious movements against the Federal Government, to desist from all such disloyal demonstrations, and return to their allegiance, and that this Convention does peremptorily require all seditious assemblages to disperse, and all companies mustered in the service of the Southern Confederacy, immediately to disband.

The Committee on Credentials, through their chairman, reported that John Love is entitled to a seat in this Convention, as a member from Upshur County, and on motion it was resolved that his name be entered on the roll of Delegates to this Convention; whereupon the oath was administered to him by the President, and he was admitted to his seat.

The same Committee further reported that Nathan H. Taft is entitled to represent Barbour County in the place of Spencer Dayton, and moved that he be admitted as the duly accredited delegate from that County, and that his name be entered on the roll of the Convention.

John W. Moss, of Wood, moved as a substitute for the report of the Committee on Credentials: "That this Convention do declare the office of the member of the House of Delegates from Barbour County vacant, and that Spencer Dayton, of said County, be declared a member of this Convention, in place of said delegate."

By request, the member from Wood, withdrew his substitute.

The question then being put on the adoption of the report of the Committee, it was determined in the affirmative.

James W. Paxton, of Ohio, moved a suspension of the rules, for the reconsideration of the vote making the Ordinance reported by the Committee on Business the order of the day for to-morrow, which was carried; whereupon, on motion of the same member, that the said

Ordinance be made the order of the day for Monday next, at 10 o'clock, A. M.; whereupon, Samuel Crane, of Tucker, moved to amend by making the said Ordinance the order of the day for Wednesday next, at 11 o'clock, A. M.; which amendment being accepted by the original mover of the resolution, the resolution as amended was adopted.

The Committee on Credentials, through their chairman, reported that W. F. Mercer, of Loudoun, claimed a seat as a member of this Convention, but the Committee regard the credentials offered by Mr. Mercer as insufficient, and so report to the Convention.

Jno. S. Burdett, of Taylor, moved to amend the report of the Committee on Credentials by declaring the gentleman from Loudoun a member of this body; subsequently the amendment was withdrawn.

The question being then put on the adoption of the report of the Committee, it was determined in the affirmative.

On motion of D. B. Dorsey, of Monongalia, it was resolved that the order of the day be postponed until 2 o'clock, P. M.

On motion of J. A. J. Lightburn, of Lewis, the Convention took a recess until 2 o'clock, P. M.

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2 O'CLOCK, P. M.

The Convention re-assembled, and was called to order by the President.

Harrison Hagans, of Preston, offered the following resolution, which was adopted:

Resolved, That in consideration of the peculiar circumstances that have surrounded our loyal brethren of Loudoun County, as well as their geographical position, this Convention now extend to them a cordial and *special* invitation to accredit and send to this Convention their regular number of delegates as soon as may be, and that Wm. F. Mercer, Esq., be the medium of this invitation.

Ntahan H. Taft, a delegate from Barbour County, appeared and was sworn in as a member of this Convention.

Richard Fast, of Marion, asked for and obtained leave of absence temporarily.

On motion of Daniel Lamb, of Ohio, it was resolved that the declaration reported by the Committee on Business, be made the special order of the day for to-morrow at 10 o'clock, A. M., and every day thereafter, at the same hour until it is disposed of.

Leave of absence was granted to J. L. Smith, temporarily.

A motion was made by Chapman J. Stewart, of Doddridge, that when the Convention adjourn to-morrow it stands adjourned until Tuesday next, which was determined in the negative.

On motion of Daniel Lamb, of Ohio, the Convention adjourned.

SATURDAY, JUNE 15TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. S. R. Brockunier, of the Methodist E. Church, opened the session of the Convention with prayer.

The minutes of the preceding day were read and approved.

P. G. Van Winkle, of Wood, called attention to the language of the Declaration reported by the Committee on Business, and proposed that that portion of it which reads "they have attempted to bring the allegiance of the people of the United States into direct conflict, &c.," should be altered so as to read "allegiance of the people *to* the United States, &c.," which, by general consent was corrected.

The member from Wood further proposed to change the phraseology of the concluding portion of the second sentence of the first paragraph of the Declaration, by striking out the words: "And the existing Constitution does not confer upon the General Assembly the power to call a Convention to alter its provisions, or to change the relations of the Commonwealth, without the previously expressed consent of such majority," and also to add in the sentence following, after the words "in February last, the words, "without the previously expressed consent of the majority," which by general consent was agreed to.

Leave was granted to John S. Carlile, of Harrison, to read a letter from a citizen of Kanawha County.

P. G. Van Winkle, of Wood, moved a suspension of the rules for a reconsideration of the vote rejecting the gentleman from Loudoun.

J. A. J. Lightburn, of Lewis, called for the previous question, but at the suggestion of F. H. Peirpoint, of Marion, the member from Lewis withdrew the call, whereupon Jno. S. Carlile, of Harrison, renewed the call for the previous question, which being sustained, the question was put and determined in the negative.

E. H. Caldwell and Thos. Morris, of Marshall, were granted leave of absence temporarily.

On motion of P. G. Van Winkle, of Wood, it was ordered that the Declaration reported by the Committee on Business be reprinted as corrected.

Daniel Frost, of Jackson, moved a suspension of the rules for the purpose of reconsidering the vote making the Declaration reported by the Committee on Business the order of the day for 10 o'clock, which was carried in the affirmative, whereupon the member from Jackson moved that this declaration be made the order of the day for Monday next, at 11 o'clock, A. M., and at the same hour every day thereafter until disposed of, which was agreed to.

A. Flesher, of Jackson, offered the following resolution, and asked that it be referred to the Committee on Business, which was accordingly done:

Resolved, That all levies or orders made by any County or Corporation Court in this Commonwealth for the purpose of raising money for arming, assisting or supporting the rebel army of this State, or the so-called Southern Confederacy, is a gross usurpation of power, sapping the very foundation of our liberties, requiring money to be levied from free citizens, to support the enemies of our government in their acts of cruelty and butchery; therefore be it ordained that all such levies or orders shall be null and void, and shall not be collected by any of the officers of the Commonwealth.

On motion of Jas. Evans, of Monongalia, the Convention adjourned.

MONDAY, JUNE 17TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. R. V. Dodge, of the Presbyserian Church, opened the session of the Convention with prayer.

The minutes of the preceding day were read and approved.

Chas. Hooton explained that S. S. Parsons, of Tucker, was absent on account of sickness.

A Declaration of the people of Virginia, reported by the Committee on Business, being the special order of the day, was taken up and considered, whereupon the said declaration was read a second time and ordered to be engrossed and read a third time.

On motion of John C. Vance, of Harrison, the Convention took a recess until 2 o'clock.

2 O'CLOCK, P. M.

The Convention re-assembled.

Jno. S. Carlile, of Harrison, chairman of the Committee on Business, reported:

"An Ordinance relating to the receipt and disbursement of the Public Revenue, and providing for the appointment of an Auditor, Treasurer, and Secretary of the Commonwealth," which, on motion of C. D. Hubbard, of Ohio, it was laid on the table and ordered to be printed.

A Declaration of the people of Virginia, engrossed by the Secretary during the recess, was read a third time, and the question being put on the passage of the Declaration, it was unanimously determined in the affirmative. Ayes 56, noes 0.

On motion of D. B. Dorsey, of Monongalia, the vote was recorded as follows:

AYES—Messrs. A. I. Boreman, (President,) Atkinson, Berkshire, Brown, Broski, Crothers, Crawford, Carlile, Crane, Close, Copley, Dorsey, Douglas, Evans, Farnsworth, Flesher, Fleming, Frost, Gist, Hale, Harrison, Hubbard, Hagans, Hooton, Howard, Hawxhurst, Kramer, Logan, Lamb, Lightburn, Love, Martin of Wetzel, Martin of Alexandria, Mason, Nichols, Newman, Porter, Peirpoint, Polsley, Paxton, Roberts, Smith, Shuttlesworth of Harrison, Shuttlesworth of Barbour, Tarr, Trout, Vance, Van Winkle, Withers, Wetzel, Williamson, Wilson, Waggoner, Zinn—56.

NOES—None.

W. W. Brumfield recorded his vote in favor of the passage of the declaration.

On motion of John S. Carlile, of Harrison, it was resolved that Thursday next, be set apart as the period for members to append their signatures to the Declaration, and that members have until that time to vote.

On motion of George McC. Porter, of Hancock, the Convention adjourned.

TUESDAY, JUNE 18TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. Wesley Smith, of the Methodist E. Church, opened the session of the Convention with prayer.

The minutes of the preceding day were read and approved.

S. S. Parsons recorded his vote in favor of the declaration. E. H. Caldwell and Thos. Morris recorded their votes in favor of the decla-

ration; also, W. L. Boreman, Jas. P. Ferrell, Jas. Carskadon, D. D. Johnson, Jno. S. Burdett, Jas. F. Scott and E. T. Graham.

Jas. G. West, a member of the House of Delegates from Wetzel, appeared and had the oath administered to him by the President, whereupon he took his seat as a member of the Convention.

Jas. G. West and Richard Fast recorded their votes in favor of the declaration, also Wm. Price.

On motion of Jno. S. Carlile, of Harrison, it was moved to amend the "Ordinance for the re-organization of the State government," by striking out all after the words "appointed," in the 36th line, and adding the words "by the Governor, he shall fill the vacancy without writ, but if such officers be appointed otherwise than by the Governor, or by election, the writ shall be issued by the Governor, directed to the appointing power, requiring it to fill the vacancy," which was carried.

The Committee on Business, through their Chairman, reported the following resolution:

Whereas, The great and lesser Seal of the Commonwealth are in the possession of the late Executive, and it is necessary for the dispatch of business that seals should be provided at an early day.

Resolved, That the President appoint a committee to procure a great and lesser Seal respectively bearing on obverse and reverse the same devices and mottoes as the Seals heretofore used by the State, with the addition on each Seal of the words "Liberty and Union," which was carried.

The President appointed the following gentlemen as the Committee contemplated by the above resolution—Messrs. Carlile, Farnsworth, Caldwell, Withers and Waggoner.

Jno. S. Carlile, Chairman of the Committee on Business, reported "An Ordinance to apprehend suspicious persons in time of war."

On motion of A. Flesher, of Jackson, it was laid on the table and ordered to be printed.

The Committee on Business, through their Chairman, also reported an ordinance entitled "An Ordinance fixing the compensation af certain officers therein mentioned," which, on motion of Jno. D. Nichols, of Brooke, was laid on the table and ordered to be printed.

D. D. T. Farnsworth offered the following resolution:

Resolvd, That one of the great objects of this Convention re-organizing the State Government, is that we may place the same in a position

of loyalty to the United States, in order that we may soon be able by Constitutional legislation to separate ourselves from our oppressors in Eastern Virginia and be admitted a new and separate State in the glorious Union of States.

Resolved, That the President of this Convention communicate the foregoing resolution to the President of the U. S. and his Cabinet.

Daniel Frost, of Jackson, moved that the resolution be referred to the Committee on Business, but subsequently withdrew it, and moved it be referred to a special committee of five with instructions to report an address to the people of Virginia. D. B. Dorsey then moved that the resolution be laid on the table, but at the suggestion of Mr. Snider, of Monongalia, he withdrew his motion.

Campbell Tarr, of Brooke, then renewed the motion to lay upon the table, whereupon Chas. Hooton, of Preston, called for the previous question, which call being sustained, the question was put and decided in the affirmative. The question recurring on the motion of Mr. Tarr.

On motion of Mr. Snider, of Monongalia, the vote was recorded as follows:

AYES—Messrs. A. I. Boreman, (President,) Jno. H. Atkinson, Jno. S. Barnes, J. J. Brown, George W. Broski, H. W. Crothers, Wm. L. Crawford, Jno. S. Carlile, W. B. Crane, J. T. Close, James Carskadon, W. H. Copley, D. B. Dorsey, O. D. Downey, James P. Ferrell, A. Flesher, S. S. Fleming, E. T. Graham, P. M. Hale, George Harrison, C. D. Hubbard, H. Hagans, Charles Hooton, Jno. Howard, Jno. Hawxhurst, T. H. Logan, Daniel Lamb, J. A. J. Lightburn, John Love, Henry S. Martin, E. E. Mason, Thomas Morris, Jno. D. Nichols, Henry Newman, Geo. McC. Porter, D. Polsley, J. W. Paxton, S. Parsons, A. F. Ritchie, T. A. Roberts, J. F. Scott, Remembrance Swan, B. F. Shuttlesworth, Campbell Tarr, J. H. Trout, P. G. Van Winkle, James G. West, H. H. Withers, Jas. W. Williamson, W. B. Zinn—50.

NAYS—Wm. I. Boreman, Ralph L. Berkshire, Jno. S. Burdett, W. W. Brumfield, E. H. Caldwell, W. H. Douglas, James Evans, D. D. T. Farnsworth, Richard Fast, Daniel Frost, Leroy Kramer, Reuben Martin, Wm. Price, C. W. Smith, J. H. Shuttlesworth, Jos. Snider, Jno. C. Vance—17.

Geo. Harrison, of Ohio, offered the following resolutions which were unanimously adopted:

Whereas, it has pleased the God of Nations and of Battles, in his inscrutable wisdom, to remove from our midst in these our days of peril and trial, the distinguished Senator of Illinois, Stephen A. Douglas, whose patriotic devotion and principles have endeared his memory to our hearts, and whose loss we deplore and regard as a national calamity. Be it therefore, by the people of Virginia, in solemn Convention assembled,

Resolved, That this Convention has heard with feelings of the deepest sorrow and regret of the recent demise of the patrtotic and distinguished Senator of Illinois, Stephen A. Douglas—a man who, when our present unhappy troubles commenced, regardless of party predilections, stood among the first and foremost in defence of the laws and Constitution of this great Union, thereby still further gaining our love and admiration.

Resolved, That we sincerely sympathize with the widow and children of the deceased Senator under their severe affliction, and as a testimonial of our regard and esteem that these resolutions be entered on the minutes of the proceedings, and a copy, signed by the President and Secretary of this Convention, be forwarded to the family,

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WEDNESDAY, JUNE 19TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. J. T. McClure, of the United Presbyterian Church, opened the session of the Convention with prayer.

The minutes of the preceding day were read and approved.

The following named members recorded their votes in favor of the declaration:

Lot Bowen, Jas. J. Barrack, L. E. Davidson, Jno. S. Barnes, O. D. Downey and A. F. Ritchie.

Leave of absence was granted to Jno. C. Vance, temporarily.

On motion of Jno. S. Carlile, the special order of the day was taken up and considered, whereupon, as chairman of Committee on Business, he asked for and obtained leave to amend the "Ordinance for reorganization of the State Government," by striking out the word "for" in the 11th line, and inserting after the word "offices," in the same line the words "from the passage of this Ordinance until the end of."

On motion of E. H. Caldwell, of Marshall, it was resolved that the ordinance be taken up and considered by sections.

On motion of P. G. Van Winkle, of Wood, it was moved to amend the first section by inserting in the third line after the word "office," the words "for six months or" and by adding at the end of the same line, the words "and the General Assembly is required to provide by law for an election of Governor and Licutenant-Governor, by the people, as soon as in their judgment such election can be properly held.

The question being put on agreeing to the said amendment, it was decided in the affirmative.

On motion of Daniel Frost, of Jackson, the first section was further amended by striking out the word "and" in the first line, and adding the words, after the words "Lieutenant-Governor," "and Attorney General," and as amended was agreed to.

By general consent the 4th section was amended by the addition of the words "Attorney General and" after the words "Lieutenant-Governor," in the seventeenth line.

The 4th section was further amended on motion of W. L. Crawford, of Hancock, by striking out the word "volunteers" in the twentieth line, and inserting the words "officers and privates of volunteer companies."

Jas. G. West, of Wetzel, proposed to amend further the 4th section by inserting after the word "duties" in the twenty-second line "provided however that any person having voted for the Ordinance of Secession shall be ineligible to hold any post or office of honor or profit, civil or military, in this State during the existence of hostilities by the seceding States against the government of the United States of America;" whereupon Jno. C. Vance, of Harrison, called for the previous question, which call being sustained, the previous question was put and determined in the affirmative.

On motion of Jas. G. West, of Wetzel, the vote was recorded as follows:

YEAS—Messrs. Brumfield, Close, Douglas, Harrison, Hawxhurst, Martin, Mason, Smith, West, Williamson—10.

NAYS—Messrs. A. I Boreman, (President,) Atkinson, Boreman of Tyler, Bowen, Barnes, Berkshire, Brown, Burdett, Broski, Crothers, Carlile, Crane of Preston, Crane of Tucker, Caldwell, Carskadon, Copley, Dorsey, Davidson, Downey, Evans, Ferrell, Farnsworth, Flesher, Fast, Fleming, Frost, Graham, Hale, Hubbard, Hagans, Hooton, Howard, Johnson, Kramer, Logan, Lamb, Lightburn, Love, Martin of Alexandria, Moss, Morris, Nichols, Newman, Porter, Peirpoint, Polsley, Price, Paxton, Parsons, Ritchie, Roberts, Smith, Shuttlesworth of Harrison, Shuttlesworth of Barbour, Scott, Snider, Swan, Tarr, Trout, Vance, Van Winkle, Withers, Wetzel, Wilson, Waggoner, Zinn—67.

The question being on the adoption of the ordinance as amended, on motion of Jas. J. Lightburn, of Lewis, the vote was recorded as follows:

YEAS—Messrs. A. I. Boreman, (President,) Atkinson, Boreman, Bowen, Barnes, Berkshire, Brown, Burdett, Brumfield, Broski, Barrick, Crothers, Crawford, Carlile, Crane of Preston, Crane of Tucker, Close, Caldwell, Carskadon, Copley, Dorsey,

Douglas, Davidson, Downey, Evans, Ferrell, Farnsworth, Fast, Flesher, Fleming, Frost, Graham, Hale, Harrison, Hagans, Hooton, Howard, Hawxhurst, Johnson, Kramer, Lamb, Lightburn, Love, Logan, Martin of Alexandria, Martin of Wetzel, Moss, Mason, Morris, Nichols, Newman, Porter, Pierpoint, Polsley, Price, Paxton, Parsons, Ritchie, Roberts, Smith of Marion, Smith of Pleasants, Shuttlesworth of Harrison, Shuttlesworth of Barbour, Scott, Snider, Swan, Tarr, Trout, Van Winkle, West, Withers, Wetzel, Williamson, Wilson, Waggoner, Zinn—76.

NAYS—None.

On motion of Daniel Lamb, of Ohio, it was agreed that members hereafter coming in should have an opportunity of recording their votes on the ordinance.

On motion a recess was taken until 3 o'clock, P. M.

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3 O'CLOCK, P. M.

The Convention re-assembled.

John W. Moss, of Wood, recorded his vote in favor of the Declaration.

On motion of Jno. S. Carlile, the blank in the Ordinance adopted during the morning session was filled with the words "first July next."

Jno. C. Vance, of Harrison, moved to go into an election for Provisional Governor.

James Evans, of Monongalia, moved to amend the motion of the member from Harrison, by going into an election for Governor and other officers, to-morrow at 2 o'clock, P. M., and the question being put thereon, was determined in the affirmative.

The question recurring on agreeing to the motion as amended, the question was put and determined in the affirmative.

Geo. McC. Porter, of Hancock, offered the following resolution:

Resolved, That we recommend the immediate organization of Volunteer Companies in every County represented in this Convention, to support the State Government as re-organized by this Convention.

D. B. Dorsey, of Monongalia, moved that the resolution be referred to a special committee of seven, and the question being put was determined in the negative, whereupon the resolution was adopted.

On motion of Jno. S. Carlile, "An Ordinance to authorize the apprehending of suspicious persons in time of war," was taken up and considered.

On motion of T. H. Logan, of Ohio, the word "organized," in the 26th line, was changed so as to read "*re-organized.*"

C. D. Hubbard, of Ohio, recorded his vote in favor of the Ordinance for the re-organization of the State Government.

Geo. Harrison of Ohio, moved to amend the ordinance under consideration by adding after the word "same," in the eighteenth line, the words "or refusing to acknowledge the acts of this Convention as legal," and the question being put thereon, was determined in the negative.

P. G. Van Winkle moved the following amendment, after the word "secured," in the 34th line, "for trial as for a misdemeanor," and the question being put thereon, was determined in the affirmative.

On motion of Daniel Lamb, of Ohio, the following section was added to the ordinance:

7. The powers vested in the Governor by this Ordinance shall be exercised only upon satisfactory evidence and with the concurrence of a majority of his Council.

On motion of Jno. S. Carlile, of Harrison, it was resolved to reconsider the vote by which the amendment was adopted inserting in the 34th line, after the word "secured," the words "for trial as for a misdemeanor," when, by general consent, the member from Wood withdrew his amendment, whereupon Jno. S. Carlile moved the adoption of the ordinance as amended, when, upon motion of Mr. Evans, the vote was recorded as follows:

YEAS—Messrs. Atkinson, Boreman of Tyler, Bowen, Barnes, Berkshire, Brown, Burdett, Brumfield, Broski, Barrick, Crawford, Carlile, Crane of Preston, Crane of Tucker, Close, Caldwell, Carskadon, Copley, Dorsey, Davidson, Douglas, Downey, Evans, Ferrell, Farnsworth, Flesher, Fast, Fleming, Frost, Gist, Graham, Hale Harrison, Hubbard, Hagans, Hooton, Howard, Hawxhurst, Johnson, Cramer, Logan, Lamb, Lightburn, Love, Martin of Wetzel, Martin of Alexandria, Moss, Mason, Morris, Newman, Porter, Peirpoint, Polsley, Price, Paxton, Ritchie, Roberts, Smith of Marion, Smith of Pleasants, Shuttlesworth of Harrison, Shuttlesworth of Barbour, Scott, Snider, Swan, Stewart, Trout, Van Winkle, West, Withers, Wetzel, Wilson, Waggoner, Zinn—73.

NAYS—Messrs. A. I, Boreman, (President,) Vance, Williamson—3.

On motion of Jno. S. Carlile, it was resolved that the names of Albert Laidley and Jas. A. Williamson be omitted from the list of Yeas and Nays.

On motion of A. Flesher, of Jackson, the Convention adjourned.

THURSDAY, JUNE 20TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. David Hervey, of the Presbyterian Church, opened the session of the Convention with prayer.

The minutes of the preceding day were read and approved.

Jas. O. Watson, of Marion, appeared and had the oath administered to him by the President; whereupen he took his seat as a member of the Convention.

Daniel Lamb, of Ohio, offered the following resolution, which was adopted:

Resolved, That the Secretary of the Convention procure a proper book for recording the Ordinances of the Convention, the record to be equivalent to an enrollment.

Jno. S. Carlile, of Harrison, offered the following resolution, which was adopted:

Resolved, That all Ordinances passed by this Convention, shall be recommitted to the Committee on Business for revision and correction, and when reported back to the Convention and adopted as revised and corrected, they shall be recorded as provided for in the foregoing resolution.

Chapman J. Stewart, of Doddridge, Nathan H. Taft, of Barbour, and Jas. A. Foley, of Doddridge and Tyler, recorded their votes in favor of the Declaration and the Ordinances passed by the Convention.

On motion of Daniel Lamb, it was ordered that the credentials of Henry C. Moore and Duncan McLaughlin be referred to the Committee on Credentials.

Jno. S. Carlile moved to take up the special order of the day, whereupon Samuel Crane, of Randolph, moved to pass by the order of the day, upon which motion the question being put was determined in the negative.

The order of the day was then taken up and considered.

P. G. Van Winkle, of Wood, offered the following resolution, which was adopted:

Resolved, That the mode of signing the Declaration shall be as follows: It shall first be signed by the President in his place and then by the members of the Convention, in the order of the Counties as reported by the Committee on Credentials. The Secretary shall call the names, first of the Senator, then of the Delegate or Delegates to the General Assembly, and then of the Delegates to this Convention from each County. The person called shall advance to the table, sign his name and retire to his seat, all other members of the Convention remaining seated until their names are called.

The following named gentlemen recorded their votes in favor of the Declaration: Jas. O. Watson, Fontain Smith and S. B. Todd.

The members then proceeded to append their names to the Declaration as follows:

Arthur I. Boreman, J. H. Shuttlesworth, Nathan H. Taft, Joseph C. Gist, W. I. Boreman, Chapman J. Stewart, Daniel D. Johnson, Jas. A. Foley, Geo. McC. Porter, J. H. Atkinson, W. L. Crawford, Jno. S. Carlile, Solomon S. Fleming, Lot Bowen, P. F. Shuttlesworth, Daniel Frost, J. F. Scott, A. Flesher, P. M. Hale, J. A. J. Lightburn, Richard Fast, F. Smith, Francis H. Peirpoint, John S. Barnes, A. F. Ritchie, Jas. O. Watson, Remembrance Swan, E. H. Caldwell, Thos. Morris, Lewis Wetzel, Charles B. Waggoner, D. Polsley, Leroy Kramer, Jos. Snider, R. L. Berkshire, Wm. Price, Jas. Evans, D. B. Dorsey, Thos. H. Logan, And. Wilson, Daniel Lamb, J. W. Paxton, Geo. Harrison, C. D. Hubbard, Jas. W. Williamson, C. W. Smith, Wm. H. Douglas, Chas. Hooton, W. B. Zinn, W. B. Crane, Jno. Howard, H. Hagans, Jno. J. Brown, S. Parsons, Samuel Crane, T. A. Roberts, L. E. Davidson, Jno. S. Burdett, Samuel B. Todd, D. D. T. Farnsworth, Wm. W. Brumfield, Wm. H. Copley, Jas. G. West, Sr., Reuben Martin, Jas. P. Ferrell, Henry Newman, E. T. Graham, J. W. Moss, P. G. Van Winkle, H. S. Martin, Jas. Titus Close, John Hawxhurst, Evan E. Mason, Jas. Carskadon, O. D. Downey, Geo. W. Broski, J. H. Trout, Jas. J. Barrack, H. W. Crothers, Jno. D. Nicholls, Campbell Tarr, Jno. Love, Henry H. Withers, Henry C. Moore.

On motion of P. G. Van Winkle, of Wood, it was ordered that after all the members have had an opportunity of signing the Declaration, that the Secretary certify the same under his signature.

On motion the Convention took a recess until 2 o'clock.

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2 O'CLOCK, P. M.

The Convention re-assembled.

A. Flesher, of Jackson, rose to a question of privilege and read an extract from a newspaper styled the "Virginia Chronicle."

The Committee on Credentials, through their chairman, reported Henry C. Moore as a duly accredited delegate to the Convention, from the Counties of Webster, Braxton and Nicholas, and moved that his name be entered on the roll of members, and that the oath be administered to him; which, on the question being put, it was decided in the affirmative, the oath was administered to him by the President, and the member took his seat.

Henry C. Moore recorded his vote in favor of the Declaration and appended to it his name.

On motion of Jno. S. Carlile, the order of the day being the election of Governor and other officers, was taken up and considered, whereupon Daniel Lamb, of Ohio, nominated Francis H. Peirpoint, of Marion, for Governor of the State of Virginia. No further nominations having been made, the roll was called with the following result:

FOR NOMINEE—Messrs. A. I. Boreman, (President,) Atkinson, W. I. Boreman, Bowen, Barnes, Berkshire, Brown, Burdett, Brumfield, Broski, Barrack, Crothers, Crawford, Carlile, Crane of Preston, Crane of Tucker, Close, Caldwell, Carskadon, Copley, Dorsey, Davidson, Douglas, Evans, Farnsworth, Flesher, Fast, Fleming, Frost, Gist, Graham, Harrison, Hubbard, Hagans, Hooton, Howard, Hawxhurst, Johnson, Kramer, Lamb, Lightburn, Love, Martin of Wetzel, Martin of Alexandria, Moss, Mason, Morris, Nicholls, Newman, Porter, Polsley, Price, Paxton, Parsons, Ritchie, Roberts, Smith of Marion, Smith of Pleasants, Shuttlesworth of Barbour, Scott, Snider, Swan, Stewart, Taft, Tarr, Trout, Todd, Van Winkle, West, Withers, Wetzel, Williamson, Wilson, Waggoner, Watson, Moore and Zinn—77.

The President thereupon announced Francis H. Peirpoint Governor of the State of Virginia.

In the further execution of the order of the day, Jno. W. Moss, of Wood, nominated Daniel Polsley, of Mason county, for the office of Lieutenant-Governor of Virginia, and no further nominations being made the vote was thereupon called, with the following result:

FOR NOMINEE—Messrs. A. I. Boreman, (President,) Atkinson, W. I. Boreman, Bowen, Barnes, Berkshire, Brown, Burdett, Brumfield, Broski, Barrack, Crothers, Crawford, Carlile, Crane of Preston, Crane of Tucker, Close, Caldwell, Carskadon, Copley, Dorsey, Davidson, Douglas, Evans, Farnsworth, Flesher, Fast, Fleming, Frost, Gist, Graham, Harrison, Hubbard, Hagans, Hooton, Howard, Hawxhurst, Johnson, Kramer, Lamb, Lightburn, Love, Martin of Wetzel, Martin of Alexandria, Moss, Mason, Morris, Nicholls, Newman, Porter, Price, Paxton, Parsons, Ritchie, Roberts, Smith of Marion, Smith of Pleasants, Shuttlesworth of Barbour, Scott, Snider, Swan, Stewart, Taft, Tarr, Trout, Todd, Van Winkle, West, Withers, Wetzel, Williamson, Wilson, Waggoner, Watson, Moore and Zinn—76.

The President thereupon announced Daniel Polsley, Lieutenant-Governor of the State of Virginia.

On motion of D. B. Dorsey, of Monongalia, the Convention agreed to a postponement of the order of the day, so far as it related to the election of Attorney General of the State of Virginia, until Saturday next.

In further execution of the order of the day, D. B. Dorsey nominated the following named gentlemen for members of the Governor's Council: P. G. Van Winkle, of Wood, W. A. Harrison, of Harrison,

Wm. Lazear, of Monongalia, Daniel Lamb and Jas. W. Paxton, of Ohio. The roll was thereupon called with with the following result:

FOR THE NOMINEES—Messrs. A. I. Boreman, (President,) Atkinson, Bowen, Barnes, Berkshire, Brown, Burdett, Brumfield, Broski, Barrack, Crothers, Crawford, Carlile, Crane of Preston, Crane of Tucker, Close, Carskadon, Copley, Dorsey, Davidson, Douglas, Evans, Ferrell, Farnsworth, Flesher, Fast, Fleming, Frost, Gist, Graham, Hubbard, Hagans, Hooton, Howard, Hawxhurst, Johnson, Kramer, Logan, Lightburn, Love, Martin, Moss, Mason, Morris, Moore, Nicholls, Newman, Porter, Price, Parsons, Ritchie, Roberts, Smith of Marion, Smith of Pleasants, Shuttlesworth, Scott, Snider, Swan, Taft, Tarr, Todd, Trout, West, Withers, Wetzel, Williamson, Wilson, Waggoner, Watson, Zinn.

Van Winkle, 73; Lamb, 73; Lazear, 73; Harrison, 72; Paxton, 70; Wilson, 2; Caldwell, 1.

The President thereupon announced Messrs. Van Winkle, Lamb, Lazear, Harrison and Paxton as the members of the Governor's Council.

On motion of Jno. S. Carlile, a committee of two, consisting of Jno. S. Carlile and Daniel Lamb, were appointed to inform Mr. Peirpoint of his election as Governor of the State of Virginia.

The committee retired and shortly re-appeared and conducted the Governor elect to the President, when the oaths of office were administered to him by Andrew Wilson, a Justice of the Peace of Ohio county, in the presence of the Convention.

On motion of Daniel Frost, of Jackson, it was resolved that a committee of three be appointed to wait on the Governor, and inform him that the Convention is now ready to receive any communication he may have to make, whereupon the President appointed the following members said committee: Messrs. Frost, Crane of Randolph, and Wetzel.

On motion of Jno. S. Carlile, the Convention adjourned.

FRIDAY, JUNE 21ST, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. G. Battelle opened the session of the Convention with prayer.

The minutes of the preceding day were read and approved.

Chapman J. Stewart recorded his vote in favor of the Declaration.

Jno. S. Carlile, chairman of the Committee on Business, reported the following resolution, which was adopted: "Ordered that until the Seals of the Commonwealth, ordered by this Convention, are procured, the Governor shall affix his private Seal to such writs and other documents as it shall be necessary for him to issue."

Jno. S. Carlile submitted a motion that when the Convention adjourn to-day, it stand adjourned until Monday next, at 2 o'clock, P. M., which was carried.

On motion of Jno. S. Carlile, the Ordinance relating to the "Re-

ceipts and Disbursement of the Public Revenue and providing for the appointment of an Auditor, Treasurer, and Secretary of the Commonwealth," was taken up and considered by sections.

C. D. Hubbard, of Ohio, moved to amend the third section in the eleventh line, by striking out the word "fifty" and inserting "thirty;" and the question being put on agreeing to the said amendment, was determined in the negative.

Samuel Crane, of Randolph, moved to strike out the fifth section, and the question being put was determined in the negative.

E. H. Caldwell, of Marshall, moved to amend the sixth section by inserting in the twenty-fifth line, after the word "Virginia," the words following: Including all taxes and other monies heretofore collected by the Sheriff; and the question being put on agreeing to the amendment, was determined in the negative.

Jas. T. Close, of Alexandria, moved to amend the ninth section by inserting after the word "Wellsburg," where it occurs in said section, the words following: "Or if East of the Blue Ridge, into the Bank of the Old Dominion, in Alexandria, all monies of the State collected in the counties East of the Blue Ridge of mountains." The question being put on agreeing to said amendment, it was determined in the affirmative; whereupon the said section as amended, was adopted.

Jas. T. Close, of Alexandria, moved to amend section eleven in the sixty-fifth line, by inserting after the word "Wheeling," and the words following: "and in the city of Alexandria," the question being put on agreeing to said amendment, was determined in the affirmative; whereupon the whole section as amended was adopted.

Danl. Lamb, of Ohio, moved to amend the twelfth section in the 78th line, by inserting after the word "shall," the words following: "If satisfied that such has been authorized as aforesaid," and the question being put on agreeing to the amendment, was decided in the affirmative.

Jas. G. West, of Wetzel, moved a suspension of the rules for the reconsideration of the vote by which the fifth section was adopted, and the question being put it was determined in the affirmative; whereupon the same member moved to strike out the 5th section, and the question being put, it was determined in the affiamative.

The question being put on the adoption of the Ordinance as amended, it was determined in the affirmative.

On motion of Jno. S. Carlile, Convention took a recess until 2 o'clock, P. M.

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2 O'CLOCK, P. M.

Convention re-assembled.

On motion of Dan'l Lamb, of Ohio, and by general consent, a verbal amendment was made to the third section of "An Ordinance for the re-organization of the State Government," in the ninth line of said Section, after the words "General Assembly," as follows: "together with such Delegates and Senators as may be duly elected, under the Ordinances of this Convention or existing laws, to fill vacancies."

Jno. S. Carlile, of Harrison, offered the following resolution, which was adopted:

Resolved, That the Secretary of this Convention, notify the persons elected to the Executive Council, and request their acceptance of the same.

Henry C. Moore, of Webster, offered the following resolution, which was referred to the Committee on Business:

Resolved, That this Convention, in view of the extraordinary condition in which our portion of the United States is now placed, earnestly recommend to the Federal Authorities, the construction of a Military Road from Webster, a point on the N. W. Va. R. R., southward through the State of Virginia, or to such point as would be suitable for the concentration of forces in the prosecution of the struggle in which our General Government is now engaged.

On motion of Jno. S. Carlile, the "Ordinance fixing the compensation of certain officers therein mentioned," was taken up and considered.

Chapman J. Stewart, of Doddridge, moved to amend the first section in the first line, by striking out the words "three thousand," and inserting the words "two thousand," whereupon the member from Doddridge called for the ayes and nays, which call not being sustained, the question was put and determined in the negative.

Dan'l Lamb, of Ohio moved to insert between the first and second lines in the first section, the words "of the Attorney General, at the rate of one thousand dollars per annum," and the question being put was determined in the affirmative.

C. D. Hubbard, of Ohio, moved to amend the first section in the second line, by striking out the words "fifteen hundred," and inserting the words "twelve hundred," and the question being put, it was determined in the negative.

J. A. J. Lightburn, of Lewis, moved to amend in the 13th line of the first section, by striking out the words "one dollar and fifty cents," and inserting the words "two dollars," and the question being put, it was determined in the affirmative.

Jas. G. West, of Wetzel, moved to amend the fourteenth line of the same section, by striking out "fifty cents," and inserting "one dollar," and the question being put, it was determined in the affirmative.

Dan'l Lamb, of Ohio, moved to amend the second section by inserting in the 19th line, after the word "Governor," the words "and Council," and the question being put it was determined in the affirmative.

Jno. D. Nichols, of Brooke, moved that the Ordinance as amended be adopted, and the question being put, it was determined in the affirmative.

J. T. Close, of Alexandria, offered the following resolution, which was adopted:

Resolved, That a copy of the Declaration adopted by this Convention, with the signatures thereto, be sent to the President of the Uni-

ted States, by special messengers, to be designated by the President of this body.

Wm. B. Zinn, of Preston, moved a suspension of the rule for the reconsideration of the vote postponing the election of Attorney General until Saturday next, which was carried; whereupon, the member from Preston moved that the Convention proceed at once with the election of an Attorney General for the State of Virginia, and the question being put, it was determined in the affirmative.

C. D. Hubbard, of Ohio, nominated Jas. S. Wheate, of Wheeling, for the office of Attorney General; no further nominations being made, the roll was called with the following result:

FOR NOMINEE:—Messrs. A. I. Boreman, (President,) Atkinson, Boreman, Bowen, Barnes, Berkshire, Brown, Burdett, Brumfield, Barrick, Crothers, Crawford, Carlile, Crane of Preston, Crane of Tucker, Close, Caldwell, Davidson, Douglas, Downey, Evans, Farnsworth, Flesher, Fast, Fleming, Frost, Gist, Graham, Hale, Harrison, Hubbard, Hagans, Hooton, Howard, Hawxhurst, Johnson, Kramer, Logan, Lamb, Lightburn, Love, Martin of Alexandria, Moss, Mason, Moore, Morris, Nichols, Newman, Porter, Price, Parsons, Ritchie, Roberts, Smith of Pleasants, Shuttlesworth of Barbour, Taft, Tarr, Trout, Van Winkle, West, Withers, Wetzel, Williams, Wilson, Waggoner, Watson and Zinn—70.

FOR FARNSWORTH: Dorsey.—1.

FOR HARRISON:—Stuart.—1.

The President thereupon announced Jas. S. Wheate, as Attorney General for the State of Virginia.

A. Flesher, of Jackson, offered the following resolution, which was referred to the Committee on Business:

Resolved, That for the better security and safety of the loyal citizens of the Commonwealth, and the perpetuity of their liberty, it is highly and exceedingly necessary that there should be placed at least, in each of the county seats of Western Va., by the Federal Government, a recruiting officer, whose duty it shall be to enlist all such young men as may be desirous of engaging in their country's service, and when so enlisted, to send them as may be to Camp Carlile or elsewhere, for training and drilling, so as to muster them into the service of the United States, at as early a day as possible. To this end we invite and solicit the proper authorities of the General Government to send us such officers without delay.

D. B. Dorsey, of Monongalia, moved a suspension of the rules, for the reconsideration of the vote by which the Convention resolved, when it adjourn, to adjourn over until Monday next at 2 o'clock; whereupon, Jno. S. Burdett, of Taylor, moved the call for the previous question, which being sustained, the question was put and determined in the negative.

On motion of Campbell Tarr, of Brooke, the Convention adjourned until Monday next, at 2 o'clock, P. M.

MONDAY, JUNE 24TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

Rev. R. V. Dodge, opened the session of the Convention with prayer.

The minutes of the preceeding day were read and approved.

The Committee on Credentials, through their chairman reported the following gentlemen from the counties of Kanawha and Putnam, entitled to seats as members of this Convention.

Lewis Ruffner, member of the House of Delegates, from Kanawha county.

Greenbury Slack, member of the Convention from Kanawha county.

Dudly S. Montague, member of the Convention from Putnam county, and

Jno. Hall, member of the Convention from Putnam county.

Whereupon, Messrs. Ruffner and Slack being present, the oath was administered to them by the President, and they took their seats as members of the Convention.

J. T. Close, of Alexandria, offered the following resolution, which was referred to the Committee on Business:

Resolved, As the sense of this Convention, that the Convention now sitting at Richmond, has long since forfeited all right to act in behalf of this Commonwealth, upon whom they have brought woe and desolation. Inasmuch as without any provocation, aside from the promptings of unhallowed ambition, they have invited the rebel soldiery of revolted States to invade our territory, and convert our field into another Belgium, to become the bloody battle grounds of our kindred and fellow countrymen.

These foreign and domestic traitors, have driven many peaceable and Union loving citizens from their homes and possessions, by threats of injury and death, for no crime, but fidelity to the Constitution of our Fathers, and in utter disregard of that palladium of a freeman's inheritance, the unpraised exercise of the rights of suffrage; they have surrounded the polls with cannon and bayonets, excluding thousands of rightful voters, and admitting other thousands without a shadow of right; they have attempted to set aside the supreme law of the land, which gives us a representation in the Congress of the United States of America, by ordering that the election for this end should be postponed and prohibited.

They are now daily eating out the substance of the people by forced loans and common robbery, and are plundering us, as they have already plundered the nation.

Owing our highest allegiance to the Government of the United States of America, in this our extremity, we appeal to it, for protection against these armed invaders, and ask for that aidwhich is guaranteed by our Constitution to secure to us the continuance of our Republican Government.

John S. Carlile, Chairman of the Committee on Business, reported from said Committee, that they recommend the militia law now in force as sufficient for present purposes.

P. G. Van Winkle, from the Committee on Business, reported an "Address from the Convention to the People of Virginia," when on motion of James G. West, of Wetzel, the Address was unanimously adopted, and ten thousand copies ordered to be printed.

Danl. Frost, of Jackson, moved that when this Convention adjonrns, it adjourn until the first day of September next.

John S. Carlile moved to amend the motion of the member from Jackson, and introduced the following resolution:

Resolved, That when this Convention adjourns to-morrow, it will adjourn to meet again at 2 o'clock, P. M., on the first Tuesday in August next, unless sooner convened by the Governor and Council, which was adopted.

John Hawxhurst, of Fairfax, presented an address from the citizens of Eastern Virginia, which, on motion of Jno. S. Carlile, was laid on the table.

On motion of Danl. Frost, of Jackson, the Convention then adjourned.

TUESDAY, JUNE 25TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The session of the Convention was opened with prayer by Rev. J. L. Clark, of the Methodist Episcopal Church.

The minutes of the preceding day were read and approved.

The Committee on Credentials through their Chairman, reported William Ratcliffe, of Wayne, a member of the House of Delegates from Wayne, and as such, entitled to a seat in the Convention.

The Committee on Business, through Danl. Lamb, reported "An Ordinance providing that the copies of the Ordinances printed under authority of this Convention, shall be received as evidence."

William Ratcliffe, the member from Wayne, appeared and had the oath administered to him by the President, whereupon he took his seat as a member of the Convention.

Reuben Martin, of Wetzel, offered the following as an amendment to section 4 of the "Ordinance for the re-organization of the State Government," after the word "duties," in the 22d line, and moved it be referred to the Committee on Business:

"Provided, nevertheless, that any person having taken the oath required of the officers of the Government of the United States, and afterwards voted for the Ordinance of Secession, and since that time has advocated secession principles, shall be disqualified from exercising the functions of any office in this Commonwealth, until the cessation of hostilities between the United States and the Seceded States."

The ayes and noes were called by Mr. Martin, which call not being sustained, the question was put and determined in the negative.

John S. Carlile, Chairman of the Committee on Business, reported "An Ordinance requiring the evidence of the taking certain oaths, to

be filed in the office of the Secretary of the Commonwealth," which was adopted.

E. H. Caldwell, from the Committee on Business, reported "An Ordinance relative to the collection of the revenue," which was adopted.

Danl. Lamb, from the Committee on Business, reported "An Ordinance recognizing the Constitutional duty of the Commonwealth of Virginia to call for the militia of the State in obedience to the lawful requisition of the Government of the United States, to execute the laws of the Union, suppress insurrections and repel invasions," which, on motion, was adopted.

On motion of Danl. Lamb, it was resolved that the Ordinances reported by the Committee on Business, be recorded in the Ordinance Book as enrolled, and that they be signed by the President and Secretary.

On motion of Danl. Lamb, the following order was adopted:

"Ordered, that the Attorney General be invited to occuyy a seat in this Convention, with liberty to participate in the discussions, but not to vote."

D. D. T. Farnsworth moved a suspension of the rules, for reconsideration of the vote fixing the time for the reassembling of this Convention; and the question being put, it was determined in the negative.

C. D. Hubbard moved a suspension of the rules, for the reconsideration of the vote fixing the first Tuesday in August next, as the time for its reassembling, and the question being put, it was determined in the negative.

On motion of John S. Carlile, the Convention then took a recess until four o'clock, P. M.

4 O'CLOCK, P. M.

The Convention re-assembled.

P. G. Van Winkle reported from the Committee on Business, acting as a Committee of Revision, the Ordinances as heretofore reported, as being duly recorded.

On motion of Campbell Tarr, it was resolved that the thanks of this Convention be tendered to the President, for the able and impartial manner in which he has discharged his duties as presiding officer.

On motion of George McC. Porter, it was resolved that the thanks of this Convention be tendered to the Secretary, Sergeant-at-Arms, and other officers of the Convention, for the faithtul manner in which they have discharged their duties.

No further business appearing, on motion of C. D. Hubbard, the Convention adjourned.

TUESDAY, AUGUST 6TH, 1861.

The Convention re-assembled pursuant to adjournment, and was called to order by Arthur I. Boreman, President.

The session of the Convention was opened with prayer by the Rev. G. D. Battelle, of the Methodist Episcopal Church.

Mr. West offered the following resolution for adoption, and the question being put, it was determined in the affirmative:

Whereas, The members of this Convention are satisfied that a large majority of the good and loyal citizens of Western Virginia are in favor of a division of the State, yet there seems to exist a difference of opinion as to the proper time, as well as the proper means to be used to effect the object; be it therefore

Resolved, by the Convention, That in order to produce harmony and facilitate action, the President of the Convention appoint a committee consisting of one member from each county represented in this Convention, whose duty it shall be to take the whole subject of a division of this State into consideration, as a basis upon which the Convention may act, and report to this body at the earliest day possible.

On motion of Mr. Frost, three additional members were added to the Committee on Credentials, as follows: Messrs. Nichols, Caldwell and Jackson.

On motion of Mr. Van Winkle, the Committee on Credentials obtained leave to sit during the session of the Convention.

Mr. Frost presented the credentials of James A. Smith, of Jackson county, which on his motion were referred to the Committee on Credentials.

Mr. Foley offered the followiug resolution for adoption, on which the yeas and nays were demanded, which demand not being sustained, and the question being put, it was determined in the negative:

Resolved, That the Committee on Business inquire into the expediency of repealing the Stay Law enacted at the late session of the Legislature.

On motion of Mr. Van Winkle,

Resolved, That the Committee on Business inquire into the expediency of abolishing the Board of Public Works, and conferring the powers and duties thereof on the Governor and Council.

On motion of Mr. Van Winkle,

Resolved, That the Committee on Business inquire into the propriety of devolving on the Auditor elected under ordinance of this Conven-

tion, the duties of both the first and second Auditor, as prescribed by the Constitution and Laws.

On motion of Mr. Van Winkle,

Resolved, That the Committee on Business inquire into the propriety of defining by ordinance what acts of persons lately holding office under the Commonwealth, shall be deemed (and taken to be such) as adhering to the Richmond Convention, and late Executive, so as to vacate their offices under the last clause of the Declaration adopted by this Convention on the 17th day of June last.

On motion of Mr. Van Winkle,

Resolved, That the Committee on Business be directed to inquire into the expediency of providing for the arrest and punishment of such persons as shall exercise or attempt to exercise the powers and authorities, or perform the duties of an office, which shall have been declared vacant under the ordinance of the Convention.

On motion of Mr. Van Winkle,

Resolved, That the Committee on Business report an ordinance, declaring that the Ordinances and other Acts of the Convention which assembled at Richmond on the 13th of February last, are null and void and of no force.

On motion of Mr. Van Winkle,

Resolved, That the Committee on Business report an ordinance providing for the publication of the Ordinances of this Convention, and the public Laws passed or hereafter to be passed by the General Assembly, in one newspaper printed in each county of the Commonwealth if any there be, to be paid for at the same rates as are allowed for the newspaper publication of the laws of the United States.

Mr. Frost moved that when the Convention adjourns to-day, it adjourn until to-morrow at 3 o'clock P. M., and the question being put, it was determined in the affirmative.

On motion of Mr. Hagans, the Convention adjourned.

WEDNESDAY, AUGUST 7TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The minutes of the preceding day were read and approved.

The Committee on Credentials, through their Chairman, made the following report, which was received and laid on the table:

The Committee on Credentials report that David M. Myers, member

of the House of Delegates from the County of Barbour, James Burley, Senator from the Marshall Senatorial District, Thomas Cather, Senator from the Monongalia Senatorial District, Andrew Jackson, Senator from the Jackson Senatorial District, George Koonce, from Jefferson County, and Blackwood Jackson, from Lewis County, and James A. Smith, from Jackson County, are entitled to seats in this Convention as members thereof.

Mr. Fleming offered the following resolution, which, on motion of Mr. Crane, was amended so as to include "personal" as well as "real estate," and the question being put on the adoption of the resolution, it was determined in the affirmative:

Resolved, That the Committee on Business inquire into the expediency of reporting an Ordinance confiscating the real estate of all persons in this Commonwealth who have left their homes and taken up arms in rebellion against the Government of the United States.

On motion of Mr. Crane,

Resolved, That the Committee on Business inquire into the expediency of allowing the Sheriffs and other collectors of the public revenue an additional compensation to that now allowed by law, for a limited time.

Mr. Smith from Jackson County, and Mr. Koonce from Jefferson County, appeared and were sworn in.

Mr. Farnsworth offered the following resolution:

Whereas, the late Legislature refused to give its consent for a division of the State or the formation of a new State; and, whereas, we deem it necessary in compliance with the Constitution of the United States to have such consent before the creation of a new State, therefore

Resolved, That we deem it unwise at this time for this Convention to take action for a division of the State, and that when it adjourns on Friday next, it will adjourn *sine die*.

Mr. West moved to lay the resolution on the table.

Mr. Van Winkle moved to amend the motion of Mr. West by referring it to the Special Committee on a division of the State, which was subsequently withdrawn by him.

A motion to divide the question being made, the question was put, and determined in the negative.

Mr. Farnsworth demanded the yeas and nays on the motion of Mr. West, and the demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Berkshire, Burley, Brown, Burdett, Broski, Barrick, Crawford, Crane of Preston, Crane of Randolph, Cather, Caldwell, Carskadon, Davidson, Douglas, Foley, Fleming, Hale, Hagans, Hooton, Howard, Jackson, Kramer, Koonce, Lightburn, Love, Martin of Wetzel, Mason, Michael, Myers, Nichols, Smith (C. W.) Slack, Snider, Swan, Taft, West, Withers, Williamson of Pleasants, and Zinn—39.

Nays—Messrs. Boreman, (President) Atkinson, Boreman of Tyler, Barnes, Brumfield, Downey, Farnsworth, Flesher, Fast, Frost, Graham, Harrison, Hubbard, Johnson, Logan, Porter, Ritchie, Smith of Marion, Smith of Jackson, Scott, Stewart, Trout, Todd, Van Winkle, Wilson, Watson—26.

The resolution offered by Mr. Foley yesterday, and on which the yeas and nays had been demanded, but which by mistake was supposed not to be sustained by the necessary number voting, was taken up, and the demand for the yeas and nays being sustained, the vote was recorded as follows :

Yeas—Messrs. Boreman, (President,) Atkinson, Burley, Berkshire, Brown, Burdett, Crane, of Randolph, Caldwell, Davidson, Douglas, Farnsworth, Foley, Fleming, Hall, Hubbard, Hagans, Howard, Johnson, Jackson, Lightburn, Love, Stewart, Taft, Van Winkle—24.

Nays—Messrs. Boreman, of Tyler, Barnes, Brumfield, Broski, Barrick, Crawford, Crane, of Preston, Cather, Carskadon, Downey, Flesher, Fast, Frost, Graham, Harrison, Hooton, Kramer, Koonce, Logan, Martin, Mason, Michael, Myers, Nichols, Porter, Ritchie, Smith, of Jackson, Smith, of Marion, Smith, of Pleasants, Slack, Scott, Snider Swan, Trout, Todd, West, Withers, Williamson, of Pleasants, Wilson, Watson, Zain—41.

The Speaker announced the following gentlemen members of the Special Committee on a division of the State, under the resolution of Mr. West, adopted yesterday :

Messrs. West of Wetzel, Crawford of Hancock, Nichols of Brooke, Wilson of Ohio, Burley of Marshall, Johnson of Tyler, Stewart of Doddridge, Williamson of Pleasants, Douglas of Ritchie, Van Winkle of Wood, Flesher of Jackson, Wetzel of Mason, Brumfield of Wayne, Kramer of Monongalia, Burns of Marion, Cather of Taylor, Zinn of Preston, Parsons of Tucker, Crane of Randolph, Myers of Barbour, Smith of Upshur, Lightburn of Lewis, Withers of Gilmer, Davis of Harrison, Graham of Wirt, Slack of Kanawha, Trout of Hampshire, Hawxhurst of Fairfax, Miner of Alexandria, Michael of Hardy and Koonce of Jefferson.

Mr. Flesher offered the following resolutions which, on motion of Mr. Van Winkle, were referred to the Committee on a division of the State :

1. *Resolved*, That the Committee on a Division of the State be requested to inquire into the expediency of taking the sense of the people in all the counties lying west of a line from the northeast corner

of Tennessee and running to the top of the Allegheny mountains to the State of Maryland, on the question of a division of the State.

2. That the sense so required shall be taken by a vote in the usual forms at the several places of holding elections in the said counties, on a day fixed by this Convention in the month of October next.

3. That if a majority of the voters shall cast their votes on that day in favor of a division of the State, the Legislature shall be requested and empowered to pass a law calling a Convention to assemble at the Capital at Wheeling, at as early a day as may be, for the purpose of forming a constitution, and doing all other things necessary to be done for the proper organizing of Western Virginia into a State to be called the State of New Virginia.

Mr. Todd offered the following resolution which, on motion of Mr. Van Winkle, was referred to the Special Committee on a division of the State:

Whereas, the Legislature of this Commonwealth, which met in Wheeling during the month of July, 1861, did refuse to give her consent for a division of the State, therefore

Resolved, That this Convention deem it inexpedient at this time to further legislate on the subject.

Mr. Van Winkle, from the Committee on Business, reported the following ordinances, which, on his motion, were laid on the table and ordered to be printed:

An Ordinance declaring null and void the proceedings of the Richmond Convention of 1861.

An Ordinance providing for the discharge of the duties of the office of Second Auditor.

An Ordinance providing for the publication in newspapers of the Ordinances of this Convention and the laws passed by the General Assembly.

An Ordinance providing for the discharge of the duties of the Board of Public Works.

Mr. Stewart moved to suspend the rules for the purpose of a reconsideration of the vote referring the resolution offered by Mr. Todd to the Special Committee on a division of the State, and the question being put, it was determined in the negative.

On motion of Mr. Van Winkle, when the Convention adjourns it adjourns to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. Flesher, the Convention adjourned.

THURSDAY, AUGUST 8TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The session of the Convention was opened with prayer by Rev. J. T. McLure, of the United Presbyterian Church.

The minutes of the preceding day were read and approved.

Mr. Carlile offered the following resolutions:

Resolved, That the Committee on the Division of the State be instructed to report an Ordinance providing for the organization of a separate State out of, and to be composed of the following Counties of this State, to wit: Jefferson, Berkly, Morgan, Hampshire, Hardy, Barbour, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Gilmer, Hancock, Harrison, Jackson, Kanawha, Lewis, Marion, Marshall, Mason, Monongalia, Ohio, Pleasants, Preston, Putnam, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt and Wood.

Resolved, That the Committee on Business be instructed to report an Ordinance providing that any county lying contigous to the boundaries proposed for the new State, and whose people shall express a desire to be admitted into the proposed new State shall form a part thereof.

Resolved, That the same committee be instructed to report a Constitution and Form of Government for the said proposed State, to be submitted to the people thereof for ratification or rejection at the polls on the fourth Thursday of October next, and at the same time the sense of the said voters be taken upon the question of the formation of the said new State.

Mr. Stewart moved to lay the resolutions on the table, on which motion he demanded the yeas and nays, and the demand was sustained, when Mr. Crane, of Randolph, arose to address the Convention, and Mr. Stewart rose to a point of order.

Mr. Caldwell moved to permit Mr. Crane, of Randolph, to address the Convention on the merits of the resolutions.

Mr. Lightburn moved to take a recess until 2 o'clock, P. M.

On motion to take a recess, a division was called and the House decided to take a recess until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The Convention reassembled.

The question before the House being to allow the gentleman from

Randolph to address the Convention on the merits of the resolutions of Mr. Carlile, when Mr. Caldwell withdrew his motion.

The questions recurring on laying the resolutions on the table, on this motion the yeas and nays were demanded, which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Atkinson, Boreman, Barnes, Burley, Broski, Barrick, Crawford, Caldwell, Carskadon, Downey, Farnsworth, Flesher, Foley, Fast, Gist, Graham, Harrison, Hubbard, Hawxhurst, Johnson, Koonce, Lamb, Mason, Newman, Porter, Polsley, Ritchie, Slack, Smith, F., Smith, Stewart, Tarr, Trout, Todd, Van Winkle, West, Watson and PRESIDENT—38.

Nays—Messrs. Brown, Burdett, Cather, Carlile, Crane Samuel, Crane, W. B., Dorsey, Davidson, Douglas, Ferrel, Fleming, Frost, Hale, Hagans, Hooton, Howard, Jackson, Kramer, Lightburn, Love, Martin, Michael, Myers, Price, Smith, C. W., Scott, Snider, Swan, Withers, Williamson, Wilson and Zinn—32.

The Chairman of the Committee on Credentials submitted the following report:

"The Committee on Credentials beg leave to say it has had before it the credentials of Jonathan Roberts, of the county of Fairfax, claiming a seat in this Convention from the said county, and beg leave to report that said Roberts is not entitled to a seat therein as a member thereof." The question being on concurring with the report of the committee, Mr. Lightburn moved that it be re-committed to the Committee on Credentials, and the question being put, it was determined in the affirmative.

Mr. West offered the following resolution, which on motion was referred to the Committee on Business:

Resolved, That the proper committee be instructed to inquire into the expediency of so amending the Constitution of the State as to admit of the creation of new counties of less *area* than is required by the present Constitntion.

Mr. Zinn offered a petition of the citizens of Preston county, which was referred to the Committee on a Division of the State.

Mr. Hooton presented three additional petitions from citizens of Preston county, similar to that presented by Mr. Zinn, which on his motion was referred to the Committee on a Division of the State.

Mr. Farnsworth offered the following resolution:

Resolved, That all persons claiming a right to vote at any election, shall be required to take the oath of allegiance as adopted by the Convention which met in the City of Wheeling on the 11th day of June, 1861; provided, however, that all persons having once taken the oath shall not be required to take it the second time in order to vote; nor

shall any person refusing to take such oath be eligible to hold office or serve on grand or petit juries.

Mr. Carlile moved that the resolution be indefinitely postponed.

Mr. Lightburn moved the previous question, but the call for the same not being sustained, the motion failed.

Mr. Burdett renewed the call for the previous question but subsequently withdrew it.

Mr. Carlile withdrew his motion to indefinitely postpone, and thereupon Mr. Dorsey moved the resolution be referred to the Committee on Business.

Mr. Farnsworth asked for, but failed to obtain, leave to withdraw his resolution, and the question being put on referring the same to the Committee on Business, it was determined in the affirmative.

Mr. Lightburn offered the following resolution:

Resolved, That the Constitution be so amended as to render all persons ineligible to hold offices of profit or trust in the Commonwealth who voted for, and adhered to the doctrine of secession.

And thereupon Mr. Martin, of Wetzel, submitted the following as a substitute:

Resolved, That all persons who have not taken the oath required of the officers of the Government and since that time have voted for the ordinance of secession, and all other persons having before or after the voting for the said ordinance, adopted secession principles, shall be disqualified for exercising the functions of any office in this Commonwealth, during the hostilities between the United States and the Confederate States.

On motion of Mr. Van Winkle the resolution and substitute were referred to the Committee on Business.

On motion of Mr. Van Winkle,

Resolved, That resolutions and motions requiring the amendment or enactment of an Ordinance or Law shall not be acted on by the Convention until the same has been reported upon by a Committee.

Mr. Van Winkle moved that the Ordinances reported by the Committee on Business yesterday, and which were ordered to be laid on the table and printed, be made the order of the day for to-morrow at 11 o'clock, A. M., and the question being put, it was determined in the affirmative.

On motion of Mr. Davidson, Mr. Farnsworth was placed on the Committee for a division of the State, in the place of Mr. Smith, of Upshur, absent.

On motion of Mr. West, when the Convention adjourns to-day, it adjourn to 11 o'clock, A. M. to-morrow.

On motion of Mr. Davis the Convention adjourned.

FRIDAY, AUGUST 9TH, 1861.

The Convention met persuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Rev. S. R. Brockunier, of the M. E. Church.

The minutes of the preceding day were read and approved.

On motion of Mr. Van Winkle, the order of the day being "An Ordinance providing for the discharge of the duties of the Board of Public Works," was then taken up and considered, and thereupon, Mr. Stewart moved to amend the Ordinance by striking out "*and the members of the Executive Council*" and inserting the words, "*Auditor and Treasurer of the Commonwealth*" and the question being put it was determined in the affirmative.

The question recurring then on the passage of the Ordinance as amended, it was determined in the affirmative.

In further execution of the order of the day, "An Ordinance declaring null and void the proceedings of the Richmond Convention of 1861," and the question being put on the passage of the Ordinance it was determined in the affirmative.

In further execution of the order of the day "An Ordinance providing for the discharge of the duties of the second Auditor" was taken up and considered, and the question being on the passage of the Ordinance, it was determined in the affirmative.

In further execution of the order of the day "An Ordinance providing for the publication in Newspapers of the Ordinances of this Convention and the public laws passed by the General Assembly" was taken up and considered.

Mr. Harrison moved to amend by inserting in the 3rd line after the word "Government" the words "*one of which shall be in the German language*" and the question being put, it was determined in the affirmative.

Mr. Dorsey moved to amend the third section in the 14th line by striking out the words "at the usual advertising rates," and inserting in their stead the words "*at double the rates allowed for the newspaper publication of the laws of the United States,*" and the question being put it was determined in the negative.

Mr. Kramer offered the following as a substitute for the Ordinance: An Ordinance providing for the Publication of 20,000 copies of the Ordinances of this Convention, and for the Publication of the Public Laws passed by the General Assembly.

The people of Virginia by their Delegates assembled in Convention at Wheeling, do ordain as follows:

That 20,000 copies of the ordinances of this Convention, and the public laws passed by the General Assembly, be published in pamphlet form, and distributed among the members of this Convention for circulation.

Mr. Martin called for the previous qnestion but the call was not sustained.

Mr. Martin renewed his call for the previous question, but at the suggestion of Mr. Carlile withdrew it; who thereupon demanded the yeas and nays.

Mr. Crane moved to amend the substitute by striking out "20,000" and inserting "10,000," and the question being put, it was determined in the negative.

The question recurring on the adoption of the substitute, it was determined in the negative.

Mr. Stewart was permitted to make an amendment to the last line of the ordinance by the addition of the words "*or altered or repealed by the General Assembly;*" the question recurring on the adoption of the ordinance as amended.

On motion of Mr. Carlile the yeas and nays were demanded, and the demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman (President), Atkinson Boreman, Berkshire, Burley, Barrick, Crothers, Carskadon, Crawford, Douglas, Frost, Gist, Harrison, Hagans, Hawxhurst, Johnson, Logan, Lamb, Mason, Porter, Polsley, Slack, Smith, F. South, Taft, Tarr, Trout, VanWinkle, West, Williamson, Watson, Zinn—32.

Nays—Messrs. Barnes, Brown, Burdett, Broski, Cather, Carlile, Crane W. B. Crane Sam'l Dorsey, Davidson, Davis, Farnsworth, Flesher, Foley, Fast, Fleming, Graham, Hale, Hooton, Howard, Jackson, Koonce, Kramer, Lightburn, Love, Martin, Michael, Myers, Nichols, Price, Smith, W. C. Scott, Snider, Smith, Swan, Stewart Todd and Withers—38.

The Chairman of the Committee on Credentials made the following report:

"The Committee on Credentials report that the Credentials of Jonathan Roberts of the County of Fairfax, claiming a seat in this Convention as a member thereof, are insufficient.

Mr. Van Winkle moved to adjourn, but subsequently withdrew his motion.

Mr. Burley offered the following resolution:

Resolved, That when this Convention adjourn to-morrow, it adjourn *sine die*.

Mr. West moved to take a recess until 3 o'clock, P. M.

Mr. Van Winkle moved to amend by adjourning, and the question being put it was determined in the affirmative.

SATURDAY, Aug. 10th, 1861.

The Convention met pursuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Rev. Mr. Phelps, of the M. E. Church.

The minutes of the preceding day were read and approved.

Mr. Van Winkle, Chairman of the Committee on Business, reported the following ordinances:

"An Ordinance in relation to the Collection of the Public Revenue."

"An Ordinance ascertaining and declaring in what cases offices are vacated under the Declaration of June 1861."

"An Ordinance to provide for the punishment of certain offences."

Mr. Dorsey moved that the Ordinances be laid on the table and printed, which was subsequently withdrawn.

Mr. West from the special committee on a division of the State, made a report in reference to a division of the State and moved it be read.

The President suggested a question of privilege in reference to the admission of Jonathan Roberts as a delegate from Fairfax County, and thereupon Mr. Van Winkle moved that the report of the Committee on Credentials be taken up and considered.

Mr. Hawxhurst moved that the report of the Committee be disagreed to, and that Mr. Roberts be admitted as a member of this Convention; on which the yeas and nays were demanded and the demand was sustained.

Mr. Stewart demanded the previous question and the demand being sustained, the question was put and determined in the affirmative, and thereupon the main question was put, on which the yeas and nays having been demanded, and the demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Burdett, Brumfield, Burley, Barrick, Crothers, Cather, Carskadon, Davidson, Douglas, Downey, Flesher, Foley, Fast, Frost, Gist, Harrison, Hawxhurst, Johnson, Koonce, Myers, Mason, Polsley, Ritchie, Smith of Jackson, Smith of Marion.

Slack, Scott, Stewart, Trout, Van Winkle, West, Williamson of Pleasants, Watson.—33.

Nays—Messrs. Boreman (President), Boreman of Tyler, Berkshire, Brown, Broski, Crawford, Crane of Preston, Crane of Randolph, Caldwell, Dorsey, Evans, Farnsworth, Fleming, Graham, Hale, Hubbard, Hagans, Hooton, Howard, Jackson, Kramer, Lamb, Lightburn, Love, Martin of Wetzel, Michael, Nichols, Price, Paxton, Parsons, Smith of Pleasants, Snider, Swan, Taft, Tarr, Todd, Withers, Wilson, Zinn—39.

The question being on agreeing with the Committee in their report,

Mr. Frost moved to lay the report on the table, and a division being called for and the call being sustained, it was determined in the negative.

The question being on concurring with the report of the Committee, it was determined in the affirmative.

On motion of Mr. Lamb,

Resolved, That the Secretary procure if practicable and file with the papers of this Convention, the papers and proceedings of the Convention which assembled in the City of Wheeling on the 13th day of May last, together with the papers and proceedings of the Central and other Committees thereby appointed.

On motion of Mr. Cather,

Resolved, Whereas a portion of the people of the Southern States in violation of their Constitutional obligations, have attempted a dissolution of this Union, and have thus precipitated the country into a civil war, therefore

Resolved, That the action of Congress in voting the men and money to suppress this rebellion and preserve the Union, receives the hearty approval of this Convention.

On motion of Mr. Johnson,

Resolved, That the Committee on Business enquire into the expediency of reporting an ordinance providing for the repairing of State arms.

On motion of Mr. Frost,

Resolved, That the Committee on Business enquire whether any additional legislation is required to give efficiency to an Act passed at the late session of the General Assembly, entitled "An Act to prevent offences against the Commonwealth and to provide for the organization of Patrols during the war," and that they report by Ordinance or otherwise.

On motion of Mr. Polsley,

Resolved, That the Business Committee be instructed to prepare and report an Ordinance for an immediate and thorough re-organization of

the militia, and for the more frequent and regular training of the same.

On motion of Mr. Farnsworth,

Resolved, That the Business Committee be instructed to inquire into the expediency of appointing Collectors of Tolls on the Clarksburg, Buckhannon and French Creek Turnpike, and the Staunton and Parkersburg Turnpike and the receiving of the tolls already collected, and make some provision for the repairing of said roads, which are becoming in bad repair by the increased use of said roads by the United States troops.

Mr. Hooton moved to amend the resolution by adding the North Western Turnpike Road, which was accepted by the original mover of the resolution.

Mr. Fast offered the following resolution :

Resolved, That the Committee on Business inquire into the expediency of changing the name of the County of Wise to that of Douglas, or some other name more honrable than that of Wise.

Mr. Smith moved to lay the resolution on the table, and the question being put, it was determined in the negative.

The question then recurring on the adoption of the resolution, it was determined in the affirmative.

Mr. Ritchie offered the following resolutions :

1st. *Resolved*, That we are unalterably opposed to any compromise with the rebels, short of laying down their arms and returning to their allegiance to the United States Government: and that we will hold all who aid and abet in such compromise, as enemies not only to the government of our fathers, but as enemies to human liberty throughout the world.

2d. *Resolved*, That we will aid the administration at Washington in suppressing the rebellion, with all our powers, both morally and physically, and sedulously guard against all acts and doings that would militate in the least degree against the Union cause, or embarrass the administration in putting down rebellion.

On motion of Mr. Lamb, the resolutions were laid on the table and ordered to be printed.

Mr. Crane of Randolph moved that the Ordinance reported by the Committee on a Division of the State be taken up and read, and thereupon Mr. West moved it be laid on the table and printed, which motion he subsequently withdrew.

Thereupon Mr. Dorsey offered a substitute for the Ordinance.

Mr. Martin offered certain amendments to the Constitution as a substitute, and thereupon Mr. Crane of Randolph moved that they be referred to the Committee on Business.

Mr. Frost moved that the Ordinance and Substitutes be indefinitely postponed, which he subsequently withdrew.

Mr. Van Winkle moved that the Ordinances reported this morning be taken up and considered.

Mr. Kramer offered a substitute to the substitute, and moved to lay it on the table and print.

Mr. Evans moved that the rule in this particular instance be suspended to allow members to submit their substitutes; which was objected to by Mr. Polsley.

Mr. Johnson submitted a minority report.

The question being on the suspension of the rules, Mr. Lightburn demanded the previous question, and the demand being sustained, the main question was then put, and determined in the affirmative; thereupon Messrs. Farnsworth, Zinn, Brown, Flesher and Burley submitted Substitutes.

Mr. Lamb moved that the Ordinance and Substitutes be laid on the table and printed, and the question being put, it was determined in the affirmative.

Mr. Van Winkle moved that the Ordinances reported from the Committee on Business be laid on the table and printed, and the question being put, it was determined in the affirmative.

Mr. Paxton moved that the Ordinance and Substitutes be made the order ot the day for Tuesday next at ten o'clock, A. M., and every day thereafter at the same hour until disposed of.

Mr. Dorsey moved to amend by striking out "Tuesday" and inserting "Monday," which was subsequently withdrawn by him, and the question being put, it was delermined in the affirmative.

On motion of Mr. Van Winkle, the Convention adjourned.

MONDAY, AUGUST 12TH, 1861.

The Convention met persuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Rev. Mr. Martin, of the M. E. Church.

The minutes of the preceding day were read and approved.

Mr. Lamb, Chairman of the Committee on Credentials, made the following report:

That George C. Boyers was duly elected to represent Putnam County in the House of Delegates of Virginia, and as such he is entitled to a seat in this Convention, as a member thereof.

On motion of Mr. Van Winkle the report was adopted.

Mr. Polsley stated that Messrs. Montague and Hall, members of the Convention from Putnam County, were present, whereupon the President administered the oath to the said members from Putnam County, and thereupon they took their seats.

Mr. Van Winkle, Chairman of the Committee on Business, reported that it was inexpedient to take any action on the resolution enquiring into the expediency of appointing collectors of tolls on the Clarksburg, Buckhannon and French Creek Turnpike, &c.

Also, that it was inexpedient to take any action on the resolution referred to them enquiring into the expediency of reporting an ordinance providing for the repair of State arms, as the subject is provided for by an Act of the late General Assembly.

Also, that it was inexpedient to take any action on the resolution referred to them enquiring into the expediency of so amending the Constitution of the State as to admit of the creation of new Counties with a less area than is required by the present Constitution, which, on motion of Mr. West, was laid on the table.

Also, that it was inexpedient to take action on the resolution enquiring into the expediency of reporting an ordinance confiscating the real and personal estate of all persons in this Commonwealth, who have left their homes and taken up arms in rebellion against the Government of the United States.

Also, that it was inexpedient to take action on the resolution referred to them enquiring into the expediency of changing the name of the County of Wise, &c.

On motion of Mr. Lamb the report of the Committee was adopted.

On motion of Mr. Van Winkle, "An Ordinance in relation to the collection of the Public Revenue" was then taken up and considered, and thereupon he moved the following amendment at the beginning of the 8th line, by inserting the words "or any part thereof," and the question being put, it was determined in the affirmative.

Mr. West moved to amend by adding the following words at the end of the 10th line as amended, but which was subsequently withdrawn

by him: "provided, however, where it may appear that there is no Sheriff or other collector in any County embraced in this ordinance, it shall be the duty of the Auditor of Public Accounts to provide collectors for said Counties or Corporations, conditioned by entering into bond for their faithful performance as such collectors."

Mr. Hubbard moved to amend after the word "law," in the 3d line, by inserting the words "upon such amounts as he shall pay into the Treasury within the time now required by law," which he subsequently withdrew.

Mr. Lamb moved to amend by striking out in the 6th and 7th lines, the words "where the amount of taxes with which he is chargeable, does not exceed the sum of two thousand dollars;" and the question being put, it was determined in the negative, and thereupon, the question being on the adoption of the Ordinance as amended, it was determined in the affirmative.

On motion of Mr. Polsley,

Resolved, That the Business Committee enquire into the expediency of preparing an Ordinance providing for the appointment of Collectors of the Public Revenue in all the counties in which there are no Sheriffs or Collectors appointed by the County Courts.

On motion of Mr. Van Winkle, "An Ordinance ascertaining and declaring in what cases officers are vacated under the Declaration of June 17th, 1861," was taken up and considered.

Mr. Hawxhurst moved to amend, by striking out the word "publicly," in the 5th line, and the question being put, it was determined in the affirmative.

Mr. Harrison moved to amend in the 9th line, by striking out the words "has not before," and inserting the words "shall not within fifteen days from."

Mr. Smith moved to amend by striking out all after the word "States," in the 9th line, to the word "Government," included, in the 13th line, and the question being put, it was determined in the negative.

The question being on Mr. Harrison's amendment, Mr. Van Winkle offered the following amendment to the amendment, which was accepted by the mover of the amendment: "and who shall not within the time which has been or may be prescribed by the Governor under the Act of the General Assembly entitled 'An Act for declaring certain offices vacant.'"

Mr. Boreman moved that the Ordinance as amended be laid on the table and thereupon Mr. Smith moved to amend the motion by recommitting the Ordinance to the Committee on Business, which amendment was accepted by Mr. Boreman.

On motion of Mr. Snider, a recess was taken until 3 o'clock, P. M.

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3 O'CLOCK, P. M.

The Convention reassembled.

The question being on recommitting the Ordinance as amended to the Committee, it was determined in the affirmative.

Mr. Harrison moved a suspension of the rules for the purpose of reconsidering the vote making the Ordinance for the Division of the State, and the Substitutes, the order of the day for Tuesday at 11 o'clock, A. M., and every day thereafter until the same are disposed of, and the question being put, it was determined in the negative.

Mr. Dorsey asked for and obtained leave of absence for the remainder of the session.

On motion of Mr. Snider,

Resolved, That the Committee on Business be instructed to enquire into the expediency of repealing or amending the Ordinance authorizing the appointment of the Governor's Council, and report by Ordinance or otherwise.

Mr. Smith offered the following resolution:

Resolved, That the Committee on Business enquire into the expediency of reporting an Ordinance giving to the tax payers of this Commonwealth until the first day of June, 1862, to pay the same, and the question being put, it was determined in the negative.

On motion of Mr. Van Winkle, "An Ordinance to provide for the punishment of certain offences," was then taken up and considered,

and on his motion the word "publicly," in the 14th line, was stricken out.

The question being on the adoption of the Ordinance, and it being ascertained a quorum did not vote, Mr. Dorsey moved to adjourn, on which motion Mr. West demanded the yeas and nays, which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman, (President,) Brumfield, Caldwell, Dorsey, Hubbard, Koonce, Logan, Love, Myers, Smith of Pleasants—10.

Nays—Messrs. Atkinson, Boreman of Tyler, Barnes, Brown, Burley, Broski, Barrick, Crothers, Cather, Crane of Randolph, Carskadon, Davidson, Douglas, Evans, Ferrell, Farnsworth, Fast, Fleming, Graham, Hall, Harrison, Hall, Howard, Hawxhurst, Jackson, Johnson, Lamb, Martin of Wetzel, Mason, Montague, Michael, Polsley, Price, Ritchie, Smith of Marion, Slack, Snider, Swan, Stewart, Taft, Parr, Trout, Van Winkle, West, Wilson, Withers, Zinn—47.

The question recurring on the passage of the Ordinance, on motion of Mr. Van Winkle, the vote was taken by sections. The question being on the passage of the first section, it was determined in the affirmative.

The question then being on the passage of the second section, Mr. Harrison moved to amend in the 19th line by striking out the word "*fill*" and inserting the word "*cause*," and the question being put, it was determined in the negative.

Mr. Smith moved to amend further by striking out after the word "*vacant*," in the 18th line, the remainder of the sentence.

Mr. Ferrell moved to amend the amendment by striking out in the 18th line the words "satisfactory evidence thereof," and inserting the words "the testimony of two witnesses to the same act," which was accepted by Mr. Smith, and thereupon Mr. Smith withdrew his amendment.

The question then being on Mr. Ferrell's amendment, Mr. Stewart demanded the yeas and nays, and the demand was sustained; whereupon Mr. Stewart withdrew his motion.

Mr. Lamb offered the following amendment to the amendment: "if satisfactory evidence be produced thereof, upon due notice of the charge to the party to be affected thereby," and the question being put, it was determined in the affirmative.

The question being on agreeing to the amendment as amended, and no quorum voting, Mr. Crane, of Randolph, moved a call of the house, but subsequently withdrew his motion.

The question on agreeing to the amendment as amended was again put, and it was determined in the affirmative.

The question recurring on the adoption of the section as amended, Mr. Ferrell demanded the yeas and nays, which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman, (President,) Atkinson, Barnes, Burley, Broski, Barrick, Crothers, Crane of Randolph, Caldwell, Carskadon, Douglas, Farnsworth, Flesher, Fast, Fleming, Frost, Graham, Hall, Hubbard, Hall, Hagans, Howard, Hawxhurst, Johnson, Logan, Lamb, Martin of Wetzel, Myers, Mason, Michael, Polsley, Price, Smith of Jackson, Smith of Marion, Slack, Smith of Pleasants, Stewart, Taft, Tarr, Trout, Van Winkle, West, Williamson of Pleasants, Wilson, Zinn—45.

Nays—Messrs. Boreman of Tyler, Brown, Boyce, Brumfield, Cather, Dorsey, Davidson, Evans, Ferrell, Harrison, Jackson, Koonce, Love, Montague, Snider, Swan, Withers—17.

The question being on the passage of the 3rd section, it was determined in the affirmative.

On motion of Mr. Crane,

Resolved, That the Committee on Business enquire into the expediency of providing by Ordinances for the punishment of all citizens of this Commonwealth known to be in, or who shall hereafter enter, the Confederate army, either as citizens or soldiers, and all persons who shall hereafter give money, property or counsel to the Confederate army.

On motion of Mr. Van Winkle,

Resolved, That all the Ordinances reported by the Committee on Business at the present session, and which have been or may be hereafter be passed by the Convention, shall be recommitted to the said committee for revision before being recorded.

On motion of Mr. Crothers, the Convention adjourned.

TUESDAY, AUGUST 13TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The session of the Convention was opened with prayer by the Rev. Wesley Smith, of the M. E. Church.

The minutes of the preceding day were read and approved.

The President laid before the Convention the following communication from Lot Bowen, a member of this Convention, which on motion of Mr. Van Winkle was laid on the table.

"CLARKSBURG, VA., Aug. 10, 1861.

ARTHUR I. BOREMAN, ESQ.,

President of the Virginia Convention:

SIR: Owing to my business relations with the United States Army, it is impossible for me to attend the present session of the Virginia Convention as a delegate from Harrison County, I therefore respectfully tender my resignation as such delegate."

Mr. Frost moved to pass by the order of the day for the present, which he subsequently withdrew.

Mr. Farnsworth was permitted to withdraw the substitute heretofore submitted by him, thereupon he offered a new substitute, which on his motion was laid on the table and ordered to be printed.

Mr. Frost renewed his motion to pass by the order of the day; on which motion Mr. Snider demanded the yeas and nays, which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman (Prsident), Barnes, Broski, Barrick, Cather, Copsley, Davidson, Vance—8.

Nays—Messrs. Atkinson, Boreman of Tyler, Brown, Boyers, Brumfield, Burley, Crane of Preston, Crane of Randolph, Caldwell, Carskadon, Douglas, Downey, Evans, Ferrell, Farnsworth, Flesher, Foley, Fast, Fleming, Frost, Graham, Hale Hubbard, Harrison, Hall, Hagans, Hooton, Howard, Hawxhurst, Jackson, Johnson, Kramer, Koonce, Logan, Lamb, Love, Martin of Wetzel, Myers, Mason, Montague, Michael, Polsley, Price, Paxton, Parsons, Smith of Marion, Slack, Smith of Pleasants, Scott, Snider, Swan, Stewart, Taft, Tarr, Trout, Van Winkle, West, Withers, Wetzel, Williamson, Wilson, Zinn—62.

On motion of Mr. West, the Ordinance for the division of the State was then taken up and considered.

On motion, Mr. Brown was allowed to withdraw his substitute.

On like motion Messrs. Kramer, Zinn and Flesher obtained leave to withdraw their respective substitutes heretofore offered by them.

On motion of Mr. Evans, he was permitted to withdraw the substitute heretofore offered by Mr. Dorsey.

On motion of Mr. Smith, a recess was taken until 2 o'clock, P. M.

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2 O'CLOCK, P. M.

The Convention reassembled.

Mr. Crane, of Randolph, moved to go into Committee on the whole, but subsequently withdrew his motion, and thereupon he moved to adjourn, and the question being put it was determined in the negative.

Mr. Boreman, of Tyler, obtained leave to have a substitute printed.

Mr. Martin, of Wetzel, obtained leave to withdraw the substitute heretofore offered by him.

The question being on the adoption of Mr. Burley's substitute.

Mr. Van Winkle moved to strike out in the 5th line the words "*New or West Virginia,*" and insert "*Alleghany,*" and the question being put it was determined in the affirmative.

The question recurring on the adoption of the substitute.

Mr. Farnsworth offered the substitute submitted by him this morning as a substitute to the substitute.

On motion of Mr. West, the Convention adjourned.

WEDNESDAY, Aug 14th, 1861.

The Convention met pursuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Rev. Mr. Clark, of the M. E. Church.

The minutes of the preceding day were read and approved.

Mr. Van Winkle moved that the communication of Lot Bowen, resigning his seat as a member of this Convention, be taken up and considered, and the question being put, it was determined in the affirmative, and thereupon the same gentleman moved that the said resignation be accepted, and the question being put, it was determined in the affirmative.

Mr. Brown, from the Committee on Credentials, made the following report:

"The Committee on Credentials report, that Charles S. Lewis, of the county of Harrison, is entitled to a seat in this Convention, as a member thereof, in the room of Lot Bowen, resigned;" whereupon, Mr. Lewis appeared, and the oath was administered to him by the President, and thereupon he took his seat.

Mr. Van Winkle, from the Committee on Business, submitted "An Ordinance relating to Grand and Petty Jurors, and Attorneys at Law," which, on his motion, was laid on the table, and ordered to be printed.

He also reported from said committee, that it was inexpedient to take any action on the resolution referred to them, instructing them to enquire into the expediency of repealing or amending the Ordinance authorizing the appointment of the Governor's Council, &c. Also, that they report back "An Ordinance ascertaining and declariag in what

cases offices are vacated, under the Declaration of June 17th, 1861," heretofore recommitted to said committee, and recommend that the proposed amendments do not pass.

On motion, the report of the committee was adopted.

Mr. Burley obtained leave to withdraw his substitute to the Ordinance for a division of the State.

Mr. Boreman, of Tyler, submitted his substitute as a substitute to the substitute of Mr. Farnsworth.

Mr. Crane, of Randolph, moved to take a recess until 2 o clock P. M., and the question being put it was determined in the affirmative.

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2 O'CLOCK, P. M.

The Convention reassembled.

The question being on the adoption of Mr. Boreman's substitute, Mr. Snider demanded the yeas and nays, which demand was sustained.

Thereupon Mr. Smith moved that the Convention adjourn, on which motion Mr. Snider demanded the yeas and nays, which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman, (President,) Atkinson, Boreman of Tyler, Barnes, Brumfield, Burley, Broski, Barrick, Crane of Randolph, Carskadon, Copley, Downey, Davis, Flesher, Frost, Harrison, Hubbard, Hooton, Hawxhurst, Johnson, Koonce, Logan, Lamb, Lewis, Martin of Wetzel, Mason, Michael, Nichols, Polsley, Paxton, Ritchie, Smith of Marion, Slack, Smith of Pleasants, Scott, Shuttleworth of Harrison, Taft, Tarr, Trout, Van Winkle, West, Withers, Wetzel, Williamson of Pleasants, Wilson—45.

Nays—Messrs. Berkshire, Brown, Boyers, Burdett, Cather, Crane of Preston, Davidson, Douglas, Evans, Ferrell, Farnsworth, Fast, Fleming, Graham, Hale, Hall, Hagans, Howard, Jackson, Kramer, Lightburn, Love, Myers, Montague, Price, Parsons, Snider, Swan, Stewart, Vance, Zinn—31.

THURSDAY, AUG. 15TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The session of the Convention was opened with prayer by Rev. Mr. Fisher, of the Presbyterian Church.

The minutes of the preceding day were read and approved.

Mr. Burdett moved to pass by the order of the day for the present, with a view to the suspension of the rules, and the question being put, it was determined in the affirmative, and thereupon he offered the following resolution:

Resolved, That no member be allowed to speak more than one hour

to-day, and that from and after to-day that no member be allowed to speak longer than ten minutes on any subject, and that the debate on the subject of the division of the State close to-morrow.

Mr. Polsley moved to strike out all after the words "to-day."

Mr. Zinn moved to amend the amendment by striking out 3 o'clock, which amendment was accepted by the original mover of the resolution, and thereupon, on motion of Mr. West, the resolution was laid on the table.

Mr. Paxton moved to take a recess until 2 o'clock, P. M., which he subsequently withdrew.

Mr. Burley moved to pass by the order of the day, with a view to suspend the rules for the purpose of introducing a resolution and the question being put, it was determined in the negative.

Mr. Stewart moved to take a recess until 2 o'clock, P. M.

Mr. Van Winkle moved to amend by taking a recess until half-past two o'clock, P. M., which amendment having been accepted by the original mover of the resolution, the question was put and determined in the affirmative.

$2\frac{1}{2}$ O'CLOCK, P. M.

The Convention reassembled, when Mr. Paxton being entitled to the floor, he proceeded to address the Convention, and was followed by Mr. Lewis.

Mr. Polsley moved to adjourn, but subsequently withdrew his motion.

Mr. Carlile submitted a substitute to "An Ordinance for the division of the State," which, on motion, was ordered to be printed.

Mr. Polsley renewed his motion to adjourn, but subsequently withdrew it at the request of Mr. Burley, who moved to pass by the order of the day for the present, with a view to suspend the rules, and the question being put, it was determined in the affirmative, when Mr. Burley offered the following resolution:

Resolved, That during the remainder of the sitting of this Convention it will meet every morning at 9 o'clock and sit until half-past twelve o'clock, and meet again at half-past 2 o'clock, P. M., and the question being put, it was determined in the affirmative.

On motion, the Convention adjourned.

FRIDAY, AUG. 16TH, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The minutes of the preceding day were read and approved,

Whereupon Mr. Polsley proceeded to address the Convention, and was followed by Messrs. Hubbard, Zinn and Carlile.

The hour for adjournment having arrived, a recess was taken until $2\frac{1}{2}$ o'clock, P. M.

$2\frac{1}{2}$ O'CLOCK, P. M.

The Convention reassembled, when Mr. Carlile continued his remarks and was followed by Mr. Stewart and Mr. Farnsworth.

Mr. Frost moved to take a recess until $7\frac{1}{2}$ o'clock, P. M., which he subsequently withdrew.

Mr. Lamb offered the following resolution:

Resolved, That the debate on the several propositions, before the Convention for a division of the State shall cease on Monday morning next at half past eleven o'clock, and the Convention will then proceed to vote upon said propositions, with such amendments as may be offered, and that on Monday morning, when the order of the day shall be called, the Chairman of the Committee on Division shall have the floor, if he desires it, and be entitled to conclude the debate.

Mr. Burdett moved to amend the resolution by inserting after to-day no member shall speak more than thirty minutes, but subsequently withdrew it.

On motion of Mr. Caldwell, the resolution was laid on the table.

Mr. West moved to adjourn, but subsequently wishdrew his motion.

Mr. West renewed his motion to adjourn and the question being put, it was determined in the negative.

On motion of Mr. Lamb, a recess was taken until half past seven o'clock.

$7\frac{1}{2}$ O'CLOCK, P. M.

The Convention reassembled.

Whereupon, Mr. Lamb proceeded to address the Convention and was followed by Mr. Fast.

Mr. Frost moved to adjourn but at the request of Mr. West he withdrew it, who, thereupon offered the following resolution:

Whereas, in consequence of the existing hostility and the disorganized condition of our once happy and prosperous Commonwealth, it became necessary for the extra session of the Legislature called to meet in July last, in the City of Wheeling, and whereas it is hoped and

believed by this Convention, that rebellion and disorder will soon be swept from our beloved Virginia.

Be it therefore resolved by this Convention, that if the Governor of this Commonwealth, in his wisdom may think it safe and prudent, and that the good and interest of the entire State demand it, he shall cause the annual session of the Legislature to meet in the City of Richmond on the first Monday in December next, except he in his opinion may think the good of the Commonwealth demand the assembling on an earlier day.

On motion of Mr. Frost, the Convention adjourned.

SATURDAY, Aug. 17th, 1861.

The Convention met pursuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Mr. D. B. Dorsey.

The minutes of the preceding day were read and approved.

The unfinished business being the resolution of Mr. West, introduced by him on yesterday, was then taken up and considered.

Mr. Ritchie rose to a privileged question, when the hour having arrived for taking up and considering the order of the day, Mr. Boreman proceeded to address the Convention and was followed by Messrs. Cather and Johnson.

Mr. Dorsey moved the previous question, and the demand for the same was sustained.

Mr. Frost moved a reconsideration of the vote ordering the previous question, which was subsequently withdrawn.

Mr. Stewart renewed the motion for a reconsideration of the vote ordering the main question, and thereupon the President decided the motion was not in order.

Whereupon, the member appealed from the decision of the Chair, on which appeal Mr. Van Winkle demanded the yeas and nays.

Mr. Dorsey arose to a question of order.

The hour for adjournment having arrived, a recess was taken until 2½ o'clock, P. M.

2½ o'clock, P. M.

The Convention reassembled.

The question being at the time of the adjournment on the appeal

from the decision of the Chair, it was withdrawn. The question being on the adoption of the substitute of the member from Tyler, the yeas and nays were demanded and the demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman (President), Atkinson, Boreman of Tyler, Barnes, Bowyer, Burley, Broski, Barrick, Crothers, Crawford, Close, Caldwell, Carskadon, Copley, Flesher, Gist, Graham, Harrison, Hubbard, Hall, Hawxhurst, Johnson, Koonce, Logan, Lamb, Mason, Montague, Nichols, Polsley, Price, Ritchie, Smith of Marion, Slack, Stewart, Tarr, Trout, Van Winkle, Withers, Wetzel, Watson.—40.

Nays—Messrs. Berkshire, Brown, Burdett, Brumfield, Cather, Carlile, Crane of Preston, Crane of Randolph, Dorsey, Douglas, Downey, Davis, Evans, Ferrell, Farnsworth, Foley, Fast, Fleming, Hall, Hagans, Hooton, Howard, Jackson, Kramer, Lewis, Love, Martin of Wetzel, Myers, Michael, Paxton, Parsons, Smith of Pleasants, Scott, Snider, Smith of Upshur, Swan, Taft, Vance, West, Williamson, Wilson, Zinn.—42.

The question being on the adoption of the substitute of the member from Upshur; thereupon Mr. Carlile suggested certain amendments which were accepted by the mover of the substitute, also the following amendment to be added to the end of the last line of the substitute:

"The government of the State as reorganized by the Ordinance for the reorganization of the State government, shall retain its powers and authority undiminished and unimpaired until the proposed State shall be admitted into the Union by the Congress of the United States," which was accepted.

By general consent the words "fourth Thursday in October next," was stricken out, and in lieu thereof, the words "third Thursday in November next," were inserted.

Mr. Nichols offered the following as a substitute for the Second Section:

SEC. 2. Be it further ordained that the General Assembly shall provide for taking a vote within the boundaries aforesaid, on the first Thursday of January next, if the state of affairs will then admit of a full and free expression of the popular sentiment within four-fifths of the Counties above named, and if not then as soon thereafter as posible, on the question of the formation of a new State; and also for the election of members of a Convention to form a Constitution for the proposed State; in which Convention each County and election district shall have the same number of representatives to which it will be entitled at the next succeeding session of the House of Delegates."

Mr. Martin demanded the previous question and the demand being sustained, thereupon Mr. Hubbard demanded the yeas and nays and the demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman (President), Atkinson, Boreman of Tyler, Barnes, Bowyer, Broski, Barrick, Crothers, Crawford, Close, Carskadon, Copley, Davis, Flesher, Gist, Graham, Harrison, Hubbard, Hawxhurst, Johnson, Koonce, Lamb, Mason, Montague, Nichols, Polsley, Ritchie, Slack, Stewart, Tarr, Trout, Van Winkle, Withers, Wetzel, Watson.—34.

Nays—Messrs. Berkshire, Brown, Burdett, Brumfield, Burley, Cather, Carlile, Crane of Preston, Crane of Randolph, Dorsey, Davidson, Douglas, Ferrell, Farnsworth, Foley, Fast, Fleming, Hale, Hagans, Hooton, Howard, Jackson, Kramer, Lewis, Love, Martin of Wetzel, Myers, Michael, Price, Paxton, Parsons, Smith of Marion, Smith of Pleasants, Scott, Snider, Smith of Upshur, Taft, Vance, West, Williamson, Wilson, Zinn.—42.

Mr. Polsley, offered the following amendment, strike out that part of the Ordinance providing for holding an election and insert the following provision:

"That five Commissioners from as many different Counties, be appointed by this Convention who shall meet at Parkersburg, on the first Monday of next, and appoint a day for holding said election if in the opinion of a majority of them, a free and fair election can be holden in four-fifths of the Counties embraced in said boundary on the day so to be fixed."

Mr. Farnsworth called for the previous question, and the call being sustained Mr. Kramer demanded the yeas and nays, which demand being sustained the vote was recorded as follows:

Yeas—Messrs. Boreman (President), Atkinson, Boreman of Tyler, Barnes, Bowyer, Burley, Broski, Barrick, Crothers, Crawford, Close, Carskadon, Copley, Gist, Graham, Hubbard, Hall, Hawxhurst, Johnson, Koonce, Lamb, Nichols, Polsley, Ritchie, Slack, Stewart, Tarr, Trout, Van Winkle, Wetzel, Watson.—31.

Nays—Messrs. Berkshire, Brown, Burdett, Brumfield, Cather Carlile, Crane of Preston, Crane of Randolph, Dorsey, Davidson, Douglas, Davis, Ferrell, Farnsworth, Foley, Fast, Fleming, Hale, Harrison, Hagans, Hooton, Howard, Jackson, Kramer, Lewis, Love, Martin of Wetzel, Myers, Mason, Montague, Michael, Price, Paxton, Parsons, Smith of Pleasants, Scott, Snider, Smith of Upshur, Taft, Vance, West, Withers, Williamson, Wilson, Zinn.—45.

Mr. Stewart moved to amend the substitute by striking out from the word "begining," in the 5th line to the end of the 24th line, and insert the following:

"On the top of Clinch Mountain, on the line dividing Tennessee and Virginia, and running thence with the top of said mountain, so as to include all that part of the County of Scott lying north and west of said mountain, thence with the top of said mountain including Russell County, thence with the top of said mountain to the County line of Giles County, thence with the County line of Giles and Tazewell to the County line of Mercer County, thence with the top of Wolf Creek Mountain to the top of Salt Pond Mountain, thence to the

top of Potter's Middle Mountain, thence with the top of Rich Mountain to Alum Rock, thence to the top of Mill Mountain, thence with the top of said mountain to Augusta County line, thence with the dividing line between Augusta and Bath Counties to the top of Shenandoah Mountain, and with the top of said mountain to the Hardy County line, thence with the County line between Hardy and and Rockingham Counties to the Shenandoah County line, thence with the County line between Hardy and Shenandoah to Hampshire County, thence with the County line dividing Frederick and Shenandoah to Warren County, thence with the County line dividing Warren and Clark County to Fauquier County, thence with the County line dividing Fauquier and Clark County to Loudoun County, thence with the County line dividing Loudoun County and Fauquier to Fairfax County, thence with the County line dividing Fairfax and Prince William County to the Potomac River."

Mr. Farnsworth called for the previous question and the call being sustained, on the main question Mr. Stewart demanded the yeas and nays which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Berkshire, Brown, Burdett, Crothers, Cather, Carlile, Crane of Preston, Davidson, Farnsworth, Foley, Fleming, Hale Hagans, Hooton, Howard, Jackson, Kramer, Lewis, Love, Martin of Wetzel, Montague, Michael, Price, Paxton, Parsons, Scott, Snider, Smith of Upshur, Taft, Williamson, Wilson, Zinn.—32.

Nays—Messrs. Boreman (President), Atkinson, Boreman of Tyler, Barnes, Bowyer, Brumfield, Burley, Broski, Barrick, Crawford, Crane of Randolph, Close, Carskadon, Copley, Davis, Ferrell, Fast, Frost, Gist, Harrison, Hubbard, Hall, Hawxhurst, Johnson, Koonce, Lamb, Myers, Mason, Nichols, Polsley, Smith of Marion, Slack, Smith of Pleasants, Stewart, Tarr, Trout, Vance, Van Winkle, West, Withers, Wetzel, Watson. —42.

On a motion to adjourn the yeas and nays were demanded by Mr. Hale, which demand not being sustained, thereupon the question was put and it was determined in the negative.

The question being on the amendment of Mr. Stewart, the yeas and nays were demanded which demand being sustained, the vote was recorded as follows:

Yeas—Mesers. Atkinson, Boreman of Tyler, Barnes, Bowyer, Brumfield, Burley Broski, Crothers, Crawford, Close, Carskadon, Copley, Gist, Graham, Harrison, Hubbard, Hall, Hawxhurst, Johnson, Koonce, Lamb, Mason, Montague, Michael, Nichols, Polsley, Ritchie, Smith of Marion, Slack, Smith of Pleasants, Stewart, Tar, Trout, Van Winkle, West, Withers, Wetzel, Watson.—38.

Nays—Messrs. Boreman (President), Berkshire, Brown, Burdett, Cather, Carlile, Crane of Preston, Dorsey, Davidson, Douglas, Davis, Ferrell, Farnsworth, Foley, Fast, Fleming, Hale, Hagans, Hooton, Howard, Jackson, Kramer, Lewis, Love, Martin of

Wetzel, Myers, Paxton, Parsons, Scott, Snider, Smith of Upshur, Taft, Vance, Williamson, Wilson, Zinn.—37.

The question being on the adoption of the substitute as amended, Mr. Tarr moved that the Convention adjourn, and the question being put, it was determined in the affirmative.

MONDAY, AUGUST 19TH, 1861.

The Convention met pursuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Rev. Mr. Martin, of the M. E. Church.

The minutes of the preceding day were read and approved.

The following communication was received from F. H. Peirpoint, a member of the Convention from Marion County:

WHEELING, August 17, 1861.

A. I. BOREMAN, *Pres't Con., Wheeling, Va.,*

Sir: I doubted on the assembling of the Convention, whether I had properly, a seat in the same. I think it is at least doubtful, and acting on that supposition I concluded to resign my seat in the Convention, and so informed my constituents that they might appoint a successor, and I hereby tender you my resignation. I am Yours, &c.,

F. H. PEIRPOINT.

On motion of Mr. Lewis, the resignatoin was received.

The hour having arrived, the order of the day was taken up and considered.

Mr. Hooton moved that the whole subject of a division of the State be recommitted to a Special Committee of six, three to be selected by each side, who shall report to-morrow morning.

Mr. Dorsey moved to amend the motion by inserting the following names as the Committee, to-wit: Messrs. Carlile, Lamb, Kramer, Boreman of Tyler, Jackson and Carskadon; which amendment he subsequently withdrew.

The question then being put on Mr. Hooton's motion, it was determined in the affirmative.

Mr. Lamb, Chairman of the Committee on Credentials, made the following report:

"The Committee on Credentials have examined the credentials of Ephraim B. Hall, member from Marion County, in place of F. H. Peirpoint resigned, and deem the same sufficient."

On motion, the report of the Committee was adopted.

Mr. Frost moved a suspension of the rule for the purpose of taking up and considering "An Ordinance to provide for holding a special term of the County Court of Jackson County," and the question being put, it was determined in the affirmative.

The question then being on the adoption of the Ordinance, it was determined in the affirmative.

Ephraim B. Hall, member from Marion County, appeared and was sworn in, and thereupon he took his seat.

Mr. Van Winkle, Chairman of the Committee on Business, by general consent, submitted "An Ordinancce providing for the Collection of the Public Revenue in certain cases," which was laid on the table and ordered to be printed.

On motion, a recess was taken until 2½ o'clock, P. M.

2½ o'CLOCK, P. M.

The Convention reassembled.

Mr. Frost reported that the following named gentlemen were appointed as a Special Committee of six on a division of the State, viz: Messrs. Farnsworth, Carlile, Paxton, Van Winkle, Ruffner and Lamb.

On motion the report was adopted.

On motion of Mr. Van Winkle, all propositions for a division of the State were referred to the Special Committee of six, with leave to print their report.

Mr. Lewis moved that the Convention adjourn, but withdrew his motion at the request of Mr. Frost who arose to a personal explanation.

Mr. Lewis renewed his motion to adjourn, and the question being put it was determined in the affirmative.

TUESDAY, AUGUST 20TH, 1861.

The Convention met pursuant to adjournment and was called to order by the President.

The session of the Convention was opened with prayer by Rev. G. Battelle, of the M. E. Church.

The minutes of the preceding day were read and approved.

Mr. Farnsworth, Chairman of the Special Committee, to whom was referred the subject of a division of the State, reported "An Ordinance to provide for the formation of a new State out of a portion of the territory of this State," which was taken up and considered.

Mr. Crane, of Randolph, moved to amend the 7th Section at the end of the 88th line by inserting the words "the said delegates shall receive the same per diem as is now allowed to members of the General Assembly," and the question being put it was determined in the affirmative.

Mr. Martin moved the previous question, but subsequently withdrew his motion.

Mr. Tarr moved to amend the 3rd Section in the 29th line by striking out the words "Hampshire, Hardy, Morgan, Berkeley and Jefferson."

Mr. Stewart moved to amend the amendment by adding "Pendleton and Highland."

Mr. Hooton demanded the previous question which was not sustained.

The question being on the amendment to the amendment, Mr. Hooton renewed his demand for the previous question, which demand being sustained, the main question was then put, on which Mr. Stewart demanded the yeas and nays, which demand not being sustained it was determined in the negative.

The question then recurring on the amendment, it was determined in the affirmative.

Mr. Caldwell moved a reconsideration of the vote on the amendment of Mr. Tarr, and the question being put Mr. Carlile demanded the yeas and nays, which demand having been sustained, the vote was recorded as follows:

Yeas—Messrs. Berkshire, Brown, Burdett, Brumfield, Burley, Cather, Crawford, Carlile, Crane of Preston, Crane of Randolph, Caldwell, Davidson, Douglas, Davis, Evans, Ferrell, Farnsworth, Fleming, Gist, Graham, Hale, Hagans, Hooton, Howard, Jackson, Kramer, Lamb, Lewis, Love, Martin of Wetzel, Myers, Mason, Nichols, Price, Paxton, Parsons, Ruffner, Slack, Smith of Pleasants, Scott, Smith of Upshur, Swan, Taft, Vance, Van Winkle, West, Williamson, Wilson, Zinn.—49.

Nays—Messrs. Boreman (President), Atkinson, Boreman, Barnes, Bowyer, Burley, Close, Carskadon, Copley, Downey, Foley, Fast, Harrison, Hall of Marion, Johnson, Koonce, Montague, Michael, Polsley, Ritchie, Smith of Marion, Stewart, Tarr, Trout, Withers, Wetzel, Watson.—27.

The question recurring on the amendment, before the question was put, the hour of adjournment having arrived, a recess was taken until 2½ o'clock, P. M.

2½ O'CLOCK, P. M.

The Convention reassembled.

Mr. Martin demanded the previous question which demand was sustained, and the question being shall the main question be now put, Mr. Tarr demanded the yeas and nays, which demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Boreman (President), Atkinson, Boreman, Barnes, Bowyer, Broski, Barrick, Crothers, Close, Carskadon, Downey, Fast, Gist, Graham, Harrison, Hall of Marion, Hawxhurst, Johnson, Koonce, Logan, Montague, Michael, Polsley, Ritchie, Smith of Marion, Stewart, Tarr, Trout, Withers, Wetzel, Watson.—31.

Nays—Messrs. Berkshire, Brown, Burdett, Brumfield, Burley, Cather, Crawford, Carlile, Crane, of Preston, Crane of Randolph, Caldwell, Copley, Davidson, Douglas, Davis, Evans, Ferrell Farnsworth, Foley, Fleming, Hale, Hagans, Hooton, Howard, Jacksan, Kramer, Lamb, Lewis, Love, Martin of Wetzel, Mason, Nichols, Price, Paxton, Parsons, Ruffner, Slack, Smith of Pleasonts, Scott, Smith of Upshur, Swan, Taft, Vance, Van Winkle, West, Williamson, Wilson, Zinn.—48.

Mr. Burley moved to amend at the end of the 20th line in the 1st Section by adding the words "Hampshire, Hardy and Morgan," and the question being put it was determined in the negative.

Mr. Smith moved to amend the second Section by striking out all after the word "proposed" to the end of the Section, and the question being put, it was determined in the negative.

Mr. Stewart moved to amend the first Section in the 5th line by striking out the word "Kanawha" and inserting the words "West Virginia," on which motion he demanded the yeas and nays, which demand not being sustained, thereupon Mr. Hall, of Marion, called for a division of the question, and the question being put on striking out "Kanawha," it was determined in the negative.

Mr. Crane, of Randolph, moved to amend at the end of the 7th Section as amended as follows: "but no person shall receive pay as a member of the General Assembly and of the Convention at the same time," and the question being put, it was determined in the affirmative.

Mr. Smith moved to amend the 11th Section by adding the words at the end thereof, "provided that nothing herein contained shall annul the power of the Legislature to call an election to fill the vacancy of Governor, Lieutenant-Governer, and Attorney General, as provided for by an Ordinance entitled 'An Ordinance for the re-organization of the State Government,'" on which the yeas and nays were demanded by him, which demand not being sustained, the question was put and determined in the negative.

Mr. Polsley moved to amend the seventh Section as follows: strike out the 82d, 83d and 84th lines and insert the following, "that each of said Counties shall be entitled to one delegate and each County having a

white population of seven thousand inhabitants, two delegates, each County having a like population of thirteen thousand, shall have three delegates, and Ohio County four delegates."

Mr. Hooton demanded the previous question, and the demand being sustained, the main question was then put and determined in the negative.

The question being on the adoption of the Ordinance as amended, Mr. Lewis called for the previous question, and the call being sustained the main question was then put, on which Mr. Evans demanded the yeas and nays, and the demand being sustained, the vote was recorded as follows:

Yeas—Messrs. Berkshire, Brown, Burdett, Brumfield, Cather, Crawford, Carlile, Crane of Preston, Crane of Randolph, Caldwell, Copley, Davidson, Douglas, Downey, Davis, Evans, Ferrell, Farnsworth, Foley, Fast, Fleming, Hale, Hagans, Howard, Jackson, Kramer, Lamb, Lewis, Love, Martin of Wetzel, Myers, Price, Paxton, Parsons, Ruffner, Smith of Marion, Slack, Smith of Pleasants, Scott, Smith of Upshur, Swan, Taft, Vance, Van Winkle, West, Withers, Williamson, Wilson, Zinn.—50.

Nays—Messrs. Boreman (President), Atkinson, Boreman, Barnes, Bowyer, Burley, Broski, Crothers, Close, Carskadon, Gist, Graham, Harrison, Hubbard, Hall of Marion, Hawxhurst, Johnson, Koonce, Mason, Montague, Nichols, Polsley, Ritchie, Stewart, Tarr, Trout, Wetzel, Watson.—28.

Mr. Lamb offered the following resolution:

Resoled, That when this Convention adjourns to-morrow it shall stand adjourned until called together by the President of the Convention or the Governor; and if not so convened on or before the first Thursday of January next, it shall then stand adjourned *sine die*.

Mr. Smith moved to amend by inserting after the words to-morrow" the words "it adjourn *sine die*," which was subsequently withdrawn by him.

Mr. Stewart moved to amend by striking out the words "President of the Convention," and the question being put, it was determined in the negative.

The question then being on the adoption of the resolution, it was determined in the affirmative.

On motion of Mr. Nichols,

Resolved, That the Doorkeepers of this Convention shall each be allowed three dollars per day for their services, instead of the sum now fixed.

On motion of Mr. Van Winkle,

Resolved, That the Convention most earnestly urge upon thier loyal fellow-citizens, the importance of extending to the re-organized govern-

ment, a cordial, earnest and active support, in its efforts to establish the civil authority, to cause the laws to be administered and executed, and to maintain peace and good order throughout its jurisdiction.

Resolved, That this Convention further urge upon their loyal fellow-citizens the importance of encouraging by their contenance and active co-operation, the enrollment and drilling of at least one Company of State Volunteers in every County, for the purpose of suppressing rebellion and insurrection, and aiding the civil authorities in the enforcement of the laws.

Mr. Van Winkle, Chairman of the Committee on Business, reported the following Ordinances:

"An Ordinance for the election of Representatives in the Congress of the United States."

Also "An Ordinance to increase the compensation of the Adjutant General during the continuance of hostilities within the Commonwealth."

On motion of Mr. Van Winkle, "An Ordinance ascertaining and declaring in what cases offices are vacated under the Declaration of June 17, 1861," was taken up and considered, and the question being on the adoption of the same, it was determined in the affirmative.

On motion of Mr. Van Winkle, "An Ordinance providing for the appointment of Collectors for the Public Revenue in certain cases," was then taken up and considered, and the question being on the adoption of the same, it was determined in the affirmative.

On motion of Mr. Van Winkle, the Ordinance heretofore reported by him to-day, entitled "An Ordinance providing for the election of Representatives in the Congress of the United States," was taken up and considered, and the question being on the adoption of the same, it was determined in the affirmative.

On motion of Mr. Carlile, "An Ordinance to increase the compensation of the Adjutant General during the continuance of hostilities within the Commonwealth," was taken up and considered, and the question being on the adoption of the same, it was determined in the affirmative.

On motion of Mr. Lamb, Messrs. Van Winkle and Boreman, of Tyler, were appointed to revise the Ordinances and to see that they were properly recorded.

On motion of Mr. Van Winkle, Mr. Lamb was added to the said Committee.

On motion of Mr. Caldwell, "An Ordinance relating to Grand and Petty Jurors and Attorneys at Law," was taken up and considered,

and thereupon Mr. Smith moved to lay the Ordinance on the table, and the question being put it was determined in the negative.

Mr. Van Winkle moved that the further consideration of it be indefinitely postponed, and the question being put, it was determined in the affirmative.

On motion of Mr. Kramer,

Resolved, That 10,000 copies of the Ordinance providing for the formation of a new State, be published for circulation in the Counties within the bounds of the proposed new State, and Counties lying contiguous thereto.

On motion of Mr. Burdett, when this Convention adjourns to-day, it adjourn to meet at four o'clock, P. M. to-morrow.

On motion the Convention adjourned.

WEDNESDAY, AUGUST 21ST, 1861.

The Convention met pursuant to adjournment and was called to order by the President.

The minutes of the preceding day were read and approved.

On motion of Mr. Boreman,

Resolved, That a Committee of three be appointed, to wait on the Governor and inquire whether he has any communication to make to the Convention before its adjournment; and thereupon Messrs. Boreman, of Tyler, Smith, of Marion, and Withers were appointed said Committee.

Henry Newman asked for and obtained leave to record his vote against the "Ordinance providing for the formation of a new State out of a portion of the territory of this State."

Mr. Van Winkle, Chairman of the Committee on Revision, submitted the following report, which, on motion was adopted.

The undersigned, a Committee appointed to revise the Ordinances passed at the present session of the Convention and to see that the same are properly recorded, respectfully report that they have carfully revised and compared the following, and that the same are correctly recorded, viz:

An Ordinance providing for the discharge of the duties of the Board of Puclic Works—Passed August 9th, 1861.

An Ordinance providing for the discharge of the duties of the office of Second Auditor—Passed August 9th, 1861.

An Ordinance declaring null and void the proceedings of the Richmond Convention of 1861—Passed August 9th, 1861.

An Ordinance in relation to the Collection of the Public Revenue—Passed August 12, 1861.

An Ordinance to provide for holding a special term of the County Court of Jackson County—Passed August 19, 1861.

An Ordinance to provide for the formation of a new State out of a portion of the territory of this State—Passed August 20, 1861.

An Ordinance to provide for the punishment of certain offences and for other purposes—Passed August 12, 1861.

An Ordinance ascertaining and declaring in what cases offices are vacated under the Declaration of June 17th, 1861—Passed August 20, 1861.

An Ordinance providing for the appointment of Collectors of the Public Revenue in certain cases—Passed August 20, 1861.

An Ordinance providing for the election of Representatives in the Congress of the United States—Passed August 20, 1861.

An Ordinance to increase the Compensation of the Adjutant General during the continuance of hostilities within the Commonwealth—Passed August 20, 1861.

Mr. West moved to take up and consider the resolution heretofore offered by him on Friday the 16th inst., and which was laid on the table, and the question being put it was determined in the negative.

On motion of Mr. Barns, it was unanimously

Resolved, That the thanks of this Convention be and they are hereby tendered to the President of this body for the able and impartial manner in which he has discharged the duties of his office.

On motion of Mr. Evans, it was unanimously

Resolved, That this Convention take pleasure in acknowledging the satisfactory manner in which the Secretary and other officers have discharged their respective duties.

On motion of Mr. West, it was unanimously

Resolved, That the thanks of this Convention are due to the Rev. Clergy for opening the daily sessions of this Convention with prayer.

On motion of Mr. Cather, it was unanimously

Resolved, That the thanks of this body are due to the reporters of the proceedings of this Convention.

Mr. Boreman, Chairman of the Committee appointed to wait on the Governor, reported that he would communicate to the Convention in person.

On motion of Mr. Burley, it was unanimously

Resolved, That the thanks of this body are due to the loyal soldiers who have so manfully protected the flag of the United States, as well as the Union citizens of Western Virginia.

Gov. Peirpoint appeared and addressed the Convention.

Mr. Frost moved to adjourn, and thereupon the President, after briefly addressing the Convention, announced the Convention adjourned, in accordance with the terms of the resolution adopted by it on yesterday.

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